CHAPTER XVII.

INSPECTION, ENTRY, SEARCH AND ASSEST.

Inspection, Entry and Search.

Entry and inspection by the Resident at Hydrichat, the Officer Communiting the Division or the Communiting Officer of the Cantonport.

288. The Resident at Hyderabad, the Officer Commanding the Division or the Commanding Officer of the Cantonment may enter into, or on, and inspect any building or land if it appears to him to be necessary to do so in order to the exercise of any power conferred upon him by this code.

234. The cantonment authority by itself or by any person generally or specially authorised by it in this behalf may-

Entry and inspection by, or by: the authority of, the continuous authority.

- (a) enter into, or on, any building or land for the purpose of-
 - (i) removing any buildings or materials, or altering any building, in pursuance of a notice issued by the cantonment authority in accordance with the conditions of a lease executed under section 264; or
 - (ii) resuming any land in pursuance of a notice issued by the Resident at Hyder-abad in accordance with the conditions of a lease executed as aferesaid; or
 - (iii) performing any act authorised by any of the provisions of sections 96, 97 and 290, sub-section (1); or
 - (iv) making any inspection authorised by the provisions of section 83, subon (1); or
- (b) enter into, and inspect any place which is, or may recently have been, used as a burial or burning ground, if it appears to the cantonment authority to be desir-able to do so in order to the carrying out of any of the provisions of this Code; or
- (e) enter into, or on, and inspect any building or land in, on, or with respect to, which the contournent authority has reason to believe—
 - (i) that a breach of any of the provisions of this Code has been committed; or
 - (ii) that any notice issued under this Code has not been duly complied with ; or
 - (iii) that any conditions imposed under this Code have not been duly observed; or
 - (iv) that any notice should be issued under this Code; or
 - (v) that any conditions should be imposed under the provisions of section 112, sub-section (2), section 148, sub-section (2) or section 173.

Energy, inspection and search by, at by the Government specially deputed by the Cantonment authority of, the Sanitary Officer. authority, muy-

- (s) enter into, or on, any building or land for the purpose of inspecting any receptacles or places provided under section 75 for the temporary deposit of offensive matter and rubbish; or
- (b) enter into, and inspect any dairy, or any place at which a washerman washes or keeps clothes or other articles in the course of his business, if it appears to the Sanitary Officer to be necessary to do so in order to the prevention of the spread of any infectious or contagious disorder; or
- (c) enter into, or on, and inspect my building or land in or on which the Sanitary Officer has reason to believe that there is, or has recently been, any person suffering, or the corpse of any person who has died, from any infectious or contagious disorder, and search for infected persons, corpses or articles therein or es or articles therein or theroon; or
- (d) enter into, or on, any building or land in or on which the Sauthry Officer has session to believe that there is any public conveyance which has been used for the carriage of a person suffering, or the corpse of a person who has died from any infectious or contagious disorder, and which has not been disinfected; of
- (e) enter into, or on, and inspect any building or land in, on, or with respect to which the Sanitary Officer has reason to believe
 - (i) that any such nuisance as is described in section 87, clause (d), and clause (e) clause (e) or clause (p) has been committed; or
 - (ii) that a breach of any of the provisions of sections 108, 128, 132, 150 to 151, 175 to 178 and 197 has been committed; or
 - (iii) that any notice issued under section 101, section 196 or section 198 has not been duly complied with; or
 - (iv) that any conditions imposed under section 148, sub-section (2), or section 178 and affecting capitation or hygiene have not been duly observed; or

(v) that the cautonment suthority should be moved to issue a notice under sections 77, 81, 82, 84, 85, 88, 102, 104, 105, 159, 160, 162, 165, 167, 169, 192, or 199, or to take any action under section 53, sub-section (1); or

(f) enter into and inspect any private slaughter-house, or any structure therein for the purpose of assisting the Cantonment Magistrate in determining whether a license should be issued under section 129; or

(representation) enter on, and inspect any land which it is proposed to use as a burial or burning ground, for the purpose of ascertaining whether any such permission as is referred to in section 148, sub-section (1), should be given; or

(1) enter into, or on, and inspect any building or land for the purpose of advising the cantonment authority as to the conditions which should be imposed under section 178 in any license which it is proposed to grant under section 178; or

(i) enter into, or on, and inspect, any building or land in or on which the Sanitary
Officer has reason to believe that there is any animal or flesh which has been
brought into the cantonment in contravention of section 137, or has been
slaughtered in contravention of section 124 and search for such animal or flesh; or

(f) enter into, or on, and inspect any building or land for the purpose of-

(i) ascertaining whether the cantonment authority should be moved to take any action under section 183, sub-section (1); or

(ii) advising the cantonment authority whether any, and, if so, what direction should be issued under section 92, sub-section (1), clause (b), clause (c), or clause (d); or

(2) enter into, or on, and inspect any building or land with respect to which the Sanitary Officer has reason to believe that the cantonment suthority should be moved to issue a notice under section 79, section 85, section 86 or section 88.

236. The Cantonment Magistrate, by himself or by any person generally or specially authorised by him in this behalf, may— Entry, inspection, and search by, or y the authority of, the Cantonment

(a) enter into, or on, and inspect any building or land for the purpose of-

(i) inquiring into occupation, ownership, agency, rights, or any other matter required to be entered in any of the registers maintained under sections 271, 272 and 273, or

(ii) performing the duties imposed on the Cantenment Magistrate, by section 17, sub-section (2), section 69, section 72, or section 78, clause (b), sub-clause (i), or

(iii) determining whether a license should be issued under section 117, or section 129, or

(iv) ascertaining whether a notice should be issued under section 187 or section 191, or

(v) cleansing or disinfecting a building or any articles therein, cc renewing flooring in parsuance of the provise to section 191, or

(b) enter into, or on, and inspect any building or land in or on which the Cantonment Magistrate has reason to believe that there is the corpse of any person who has died from an infectious or contagions disorder and search for such corps ; or

(e) enter into and inspe t any building which is being used, or intended to be used as a theatre or place of public entertainment or resort, or any structure therein for the purpose of enquiring into and testing the safety of such building or

(d) enter into, or on, and inspect, any building or land in or on which the Cantonment
Magistrate has reason to believe that there is any animal or flesh which has been
brought into the cantonment in contravention of section 187, and search for such animal or flesh; or

(e) enter any building in order to enforce its surrender in pursuance of the conditions of a lease executed under section 264.

287. The Cantonment Magistrate or the Sanitary Officer may enter into any market or

Entry into, and impaction of, markets any structure therein, and inspect the same or any article

by Sanitary Officer or Cantonment Magistherein, in the performance of the duty imposed upon him

tests. by section 115

238. Where the cantenment authority has, under section 80, sub-section (1), provided for the performance by its agents of the duties usually performed by sweepers in respect of any building or land, or of any privy, drain, cesspool or other receptacle for offensive may enter into, or on, the building or land for the purpose of performing their duties.

289 (I) Every entry made under any of the foregoing sections 283 to 287 shall be made between sunrise and munaet :

Time of entry.

Provided that if in any such case the authority empowered by any of the said sections to make or authorise an entry thinks it necessary, in the interests of the public health or safety, a that entry should be made at any other time, it may, for reasons to be recorded in writing, make such entry, or authorise it to be made, at any reasonable time between sunset and sunrise.

(2) Any entry made under section 258 may be made at any reasonable time.

240. When any building used as a human dwelling is entered under this Chapter, due Presentions to be observed in entering of the occupiers; and no apartment in the actual occupancy of a woman shall be entered under this Chapter, until she has been informed that she is at liberty to withdraw and every reasonable facility has been

afforded to her for withdrawing.

Precaution to be observed in entering and inspection made under section 284, clause (b) shall be made under such tarrangements as shall ensure due regard for the religious feelings of the community concerned.

Arrest without Warrant.

242. Any member of the police force employed in the cantonment may, without a warrant, arrest any person committing in his view a breach of any of the provisions of this Code specified in the first column of Schedule IV: Arrest by Police without warrant.

Provided, first, that in the case of the breach of any such provision as is specified in Part B of the said schedule, no-person shall be so arrested whose name and address are known to either the complainant or the arresting officer:

Provided, secondly, that no person shall be so arrested who consents to give his name and address, unless there is reasonable ground for doubting the securacy of the name or address so given, the burden of proof of which shall lie on the arresting officer:

Provided, thirdly, that no person so arrested shall be detained after his name and address have been ascertained :

Provided, fourthly, that no person so arrested shall, except under the order of a Magistrate be detained longer than may be necessary for bringing him before a Magistrate, and

Provided, fifthly, that no person shall be so so agrested for a breach of the provisions of section 214 except-

XV of 1910.

- (a) at the request of the person importuned, or of an officer as defined in the Canton-ments Act, 1910, as applied to the cantonment of Secundarabad, in whose presence the breach was committed; or
- (b) by, or at the request of, a member of the British military police force employed in the cantonment and specially authorised in this behalf by the Commanding Officer of the Cantonment, in whose presence the breach was committed, or of any police officer not below the rank of an officer in charge of a police station, who is employed in the Cantonment and specially authorised in this behalf by the Commanding Officer of the Cantonment.

CHAPTER XVIII.

SERVICE OF SUMMONSES, NOTICES, MIC.

243. (I) Unless it is in this Code in any case otherwise expressly provided, any chamachs, Bervice of summonate and notices, requisition or other document is gued thereunder may be served by being defired to the person to whom it is addressed, or by being left at his usual place of abode or business, with some adult male member or servent of his family, or, if it cannot be so served, may be saffixed on some conspicuous part of his usual place of abode or business.

(2) Where the usual place of abode or business of the person to whom the summon notice, requisition or document is addressed is not in the cantonment, it may be served by posting it in a registered cover addressed to his usual place of abode or business.

(3) Where the usual place of abode or business of the owner of any property is not known such smanners, notice, requisition or document addressed to him as such owner may be any such summons, notice, requisition or document addressed to him served on the occupier.

(d) Where the usual place of abode or business of the occupier of any property is not known, any such summons, notice, requisition or document addressed to him as such occupier may be served by affixing it on some conspicuous part of the property.

244. The service of a summons, notice, requisition or other document as aforesaid on any agent appointed by an absentes owner shall be deemed to Service on agent of absentes owner. be service e on the owner.

CHAPTER XIX.

APPEAL AND REVISION.

Appeals from executive orders when allowed and to whom to lie.

245. (I) Any person aggriered by any of the executive orders described in the second column of Schedule V may appeal to the authority specified in that behalf in the third column of the said schedule.

(2) No such appeal shall be admitted unless made within the period specified in that behalf in the fourth column of the said schedule.

(3) The period specified as aforesaid as the time allowed for making an appeal shall be computed in accordance with the provisions of the Indian Limitation Act, 1908, as applied to IX of 1908, the contoursent of Secunderabed, with respect to the computation of the period of limitation thereunder.

Petition of appeal.

246. (1) Every appeal under this Code shall be made by petition in writing, accompanied by a copy of the order appealed against.

(2) Any such petition as aforesaid may be presented to the authority which made the order appealed against; and that authority shall be bound to forward it to the appellate authority, and may attach thereto any report which it may desire to make by way of explanation.

(3) Where any such petition as aforesaid is presented direct to the appellate authority and an immediate order thereon is not necessary, the appellate authority may refer the petition for report to the authority which made the order appealed against.

(4) Every appeal petition submitted under sub-section (1) to any authority mentioned in column 3 of Schedule V, other than the Resident, shall be stamped with a Court Fee Stamp of the value of annas 8. Every appeal petition submitted to the Resident shall bear a Court Fee Stamp of the value of Rs. 2.

Surpension of action pending appeal.

247. On the admission of an appeal from an order, other than an order contained in a notice issued under—

- (a) section 78, clause (e),
- (b) section 85,
- (a) section 96,
- (d) section 209, sub-section (1),
- (e) section 215, sub-section (3), or
- (f) section 216,

all proceedings to enforce the order and all prosecutions for any breach thereof shall be held in abeyance pending the decision of the appeal, and, if the order is set uside on appeal, disobedience thereto shall not be deemed to be an offence.

248. (I) Where an appeal from an order made by the Cantonment Magistrate dismissing, under section 21, servant of the cantonment authority whose salary is not less than one hundred rupees a month, has been disposed of by the cantonment authority, the servant so dismissed, if he is dissatisfied with the decision of the cantonment authority, may, within thirty days from the date thereof apply to the Resident at Hyderabad for a review of that decision.

(3) The provisions of this Chapter with respect to appeals shall apply, so far as may be, to applications for review made under this section.

249. Save as otherwise provided in section 248, the order of the appellate authority confirming, setting aside or modifying an order appealed against shall be final:

Provided that no order shall be confirmed, set aside or modified on appeal unless and until the appellant has had a reasonable opportunity of being heard.

CHAPTER XX.

COMMITTEES OF ARBITRATION.

250. On a requisition being made to him under Condition XVIII or Condition XIX set

Obligation of Communication Officer of forth in a lease executed under section 264 in Form B or D

Communication to convene a committee of in Schedule VI, within the period mentioned in such Conscious to convene a committee of dition, the Commanding Officer of the Cantonment shall corpulate.

(a) to determine thesemount of monthly rent to be paid; or

(8) to determine whether any, and, if so, what repairs are necessary, and the extent to which they are occessory.

251. (I) On an application being made to him under Condition XX or Condition XXI

Discretion of Commanding Officer of set on the commanding Officer of the set on the control of Commanding Officer of the set on the control of Cantonment may, after such inquiry as he may think fit to make, proceed to convene a committee of arbitration— Conteminant to convene a committee of arbitration to decide question as to condition of brane or as to read or repairs. (a) to determine whether the house has become unfit for occupation; or
(b) to determine the amount of monthly received.

(b) to determine the amount of monthly rent to be paid; or
(c) to determine whether any, and, if so, what, repairs are necessary, and the extent to which they are necessary; or
(d) otherwise to determine the question in dispute.

(2) In the exercise of the discretion vested in him by this section, the Commanding Officer of the Cantonment may refure to convene a committee of arbitration on the ground that the application therefor is groundless or frivolous, or for any other sufficient reason.

252. Where the cantonment anthority and the person or persons concerned are unable to Obligation of Commanding Officer of Cantoninus to convenie a committee of arbitration to determine amount of companion payable.

Officer of the Cantoninus shall proceed to convene a commanding Officer of the Cantoninus shall proceed to convene a committee of arbitration to determine the amount payable.

253. (I) Where a committee of arbitration is to be convened, the Commanding Officer
of the Cantonnent shall cause an order to be published in
Station Orders stating the matter to be determined by the
arbitration.

(2) The Cantonment Magistrate shall send a copy of the order published under subsection (1) to the First Assistant Resident and to the parties concerned, and shall by notice in writing require the parties to nominate members of the committee of arbitration as hereinafter provided.

254. Every committee of arbitration convened under section 250 or 251 shall consist of— Compasition of nonmittee of arbitration extend under section 250 or 251.

- (a) the First Assistant Resident, or, if it is inconvenient for him to act, some European civil gazetted officer appointed by the Resident at Hyderabad to act in his stead :
- (b) a member to be nominated by the officer concerned; and

(c) a member to be nominated by the lessee :

Provided that, if such officer or lessee as aforesaid fails to nominate a member within seven clear days from the date on which he is called apan to do so, or if any member within seven nominated neglects or refuses to act, and such officer or lessue, as the case may be, fails to nominate, within seven clear days from the date on which he is called upon to do so, another member who is willing to act, the Commanding Officer of the Cantonnent shall forthwith appoint a member in the place of such nominee.

Composition of committee of arbitration convened under section 253. 255. Every committee of arbitration convened under section 252 shall consist of-

(a) the First Assistant Resident, or, if it is inconvenient for him to act, some European civil gazetted officer appointed by the Resident at Hyderabad to act in his stead; (b) a member to be nominated by the person or persons concerned; and

(c) a member to be nominated by the cantonment authority :

Provided that, if such person or persons concerned as aforesaid fails or fail to nominate a member within seven clear days from the date on which he or they is or are called upon to do so, or if any member who has been nominated by such person or persons neglects or refuses to act, and such person or persons fails or fail to nominate, within seven clear days from the date on which he or they is or are called upon to do so, another member who is willing to act, the Commanding Officer of the Cantonment shall forthwith appoint a member in the place of such

Members of committee of arbitration unless he is personally disinterested in the matter under to be present who are not personally in terrored, and whose services are immediately available for the purposes of the arbitration; and the nomination of arbitration. of the Cantonment personally interested in the matter under reference, or whose services are not immediately available as aforesaid, shall be deemed to constitute a failure to make a nomination within the meaning of the foregoing provisions.

257. When a committee of arbitration has been duly constituted, the Cantonment Magistrate shall, by notice in writing, inform each of the members of the fact, and the committee of arbitration shall seemble within seven clear days from the service of the notice,

Chairman of assembleto of arbitration.

258. The First Assistant Resident or the officer appointed to act in his stead shall be the chairman of every ommittee of arbitration.

Calculation of root by committee of amount of monthly rent to be paid for a house every committee of arbitration.

Calculation of root by committee of arbitration shall estimate, as nearly as may be, the mark-t value of all buildings and authorised additions; and the amount of rent determined upon shall be with reference to the circumstances of the neighbourhood and the period of time and season for which the house is likely to be occupied during the year, and shall include the taxes (if any) levied upon the land or such proportion thereof as the committee of arbitration may find to be customarily paid for the time being in the neighbourhood by tenants.

Decision of committee of arbitration to be by vote and final.

260. (1) The decision of every committee of arbitration to tion shall be determined by the majority of the votes taken at a meeting at which all the members are present.

(9) The decision of every committee of arbitration shall be final.

CHAPTER XXI.

APPLICATIONS FOR BUILDING-SITES ON GOVERNMENT LAND IN THE CANTONMENT.

261. Every application for permission to occupy, for the purposes of a building-site, and belonging to the Government in the contonment shall be submitted to the contonment authority in writing, and Application for permission to shall contain the following particulars, mamely-

(a) the situation, area and boundaries of the land;

(b) the materials to be used in the intended buildings;

(e) the period after the date of occupation within which the intended buildings are to he completed; and

(d) the purposes for which the land and the intended buildings are to be used.

262. Every application made under section 261 shall be accompanied by — Description to secompany applications.

one hundred and ten feet to the inch show-(a) a plan, on a scale not smaller ing-

(i) the boundries of the land,

(ii) the roads or lands adjoining, and

(iii) all buildings intended to be erested on the land;

(b) a pround plan and elevation of the principal building intended to be erected showing the dimensions on the same;

(e) a statement of the buildings, boundary walls, bedges or fences intended to be erected;

(d) an approximate statement of the intended outlay on the buildings and on the rent which it is proposed to charge for the same, if lot to a tenant; and

(c) a declaration that the applicant has read the appropriate form of lease referred to in section 264 and undertakes, in the event of his application being sanctioned, to execute a lease in that form.

268. (I) Every application made under section 261 shall, if the procedure prescribed by that section and section 262 has been duly observed, be referred by the cantonment authority to the Executive Disposal of such applications. Engineer

(a) for verification of the plan referred to in section 262, clause (a); and

(b) for report as to whether the land is in the vicinity of a fortified place, whether the land is, in the opinion of the Executive Engineer, likely to be required for any public purpose, and whether there is any departmental objection to the application being sanctioned.

• (2) On receipt of such verification and report as aforesaid the application shall be submit-ted to the Commanding Officer of the Cantonment.

(5) If the Commanding Officer of the Cautonment considers that the occupation of the land in the manner proposed would not be objectionable either as regards the health or comfort of the troops, or in any other respect, he shall attach to the application a certificate to that effect, and shall forward the application to the Officer Commanding the Division for sanction; Provided as follows :-

(a)
(b) the cantonment authority, the Commanding Officer of the Cantonment, or the Officer Commanding the Division, as the case may be, may reject the application;

(c) if the land is in the vicinity of a fortified place or is applied for by a railway company, the application chall not be sanctioned without the express orders of the Governor-General in Council obtained through such channel as the Governor-General in Council may direct;

(d) in no case shall the application be canctioned without the concurrence in writing of the Resident at Hyderabad.

264. (I) When an application under this Chapter is sanctioned, the applicant shall not 264. (I) When an application under this Chapter is canctioned, the applicant shall not occupy the land, nor erect any building thereon until, athis expense, there shall have been propared in counterpart and, after execution, shall have been duly registered in accordance with the law for the time in force relating to the registration of documents, a lease as nearly as may be in one of the forms indicated in Schedule VI hereto appended and subject to the conditions set forth in the annexure to such form or in such other form as the Governor-General in Council may by notification prescribe in this behalf.

General in Council may by notification prescribe in this behalf. Explanation — Form A in Schedule VI shall be applicable to leases of land applied for by a railway company or for the purpose of erecting a hospital, echool or other public building. Form B shall be applicable in cases of extensions of existing sites; or where it is desired to regularise existing grants; or in other exceptional cases where the grant of leases for a term of years is not suitable; Form C chall be applicable to leases of land situate in a bazar: and Form D shall be applicable to all other leases of land under this Chapter.

(2) To every lease and to its counterpart there shall be appended a site plan of the land prepared at the cost of the applicant on a scale not smaller than one hundred and ten feet to

(a) the boundaries of the land,

(b) the reads or lands adjoining, and

(o) all buildings authorised to be erected on the land.

(3) The site plan shall be verified by the Executive Engineer, and shall be ugned-

(a) if the land is situate in a bazar, by the Cantonment Magistrate,

(b) if the land is not situate in a bazar, by the Commanding Officer of the Cantonment,

and shall be indersed with the date of its preparation, the name of the lessee, and a note speci-fying the period within which the buildings to be erected on the land are to be completed.

(4) One copy of the site plan prepared at the cost of the applicant and verified by the Executive Engineer shall be delivered by the applicant to the cantonment authority.

Grant and record of less

265. When the requirements of section 264 have been complied with, the cantonment auth rity shall-

(1) grant to the applicant the lease with site plan annexed and deliver to him possession of the land;

(2) transmit for record to the head-quarters of the Division the counterpart with site plan annexed; and

(8) record in his office a copy of the lease authenticated by the signature of the Cantonment Magistrate and accompanied by the copy of the site plan referred to in section 264, sub-section (4).

Saving in ferour of Government.

265-A. Nothing in this Chapterishall apply to lands required by the Government for State purposes.

CHAPTER XXII.

REGISTRATION OF IMMOVEMBLE PROPERTY IN THE CANTORWEST.

286. The cantonment authority shall prepare and maintain a general plan of the cantonment, on a scale of not less than twelve inches to the mile, showing all necessary details and distinguishing in par ticular

(a) all houses (if any) which have been set apart, in accordance with the conditions of leases executed under section 264, for occupation by civil officers;

(b) all land which has been set apart for military purposes ; and

(e) all land set apart as State, earf-i-thas or pergal land within the cantonment and demarcated as such.

267. The cantonment authority shall also prepare and maintain a bazar plan, on a scale not smaller than one hundred and ten feet to the inch, of every basar in the contonment. Buest plot.

- 268. (I) Every site shall be shown under a distinguishing number on the plans prepared under this Chapter, and the numbers for each baxar shall form a separate series. Sites and streets to be distinguished.
- (2) Every street shall be shown on such plans as aforesaid by its name or under an alphabetical letter or number.
 - 269. (1) Every plan prepared under this Chapter shall on completion be dated and subscribed by the signature of the Executive Engineer. Define and anthentication of plan
- (2) Whenever a general plan prepared under section 266 is altered, the alteration shall be explained on the plan in a memorandum dated and signeed by the Executive Engineer.
- 270. No. plan which relates to land in the cantonment, and is in the custody of the cantonment authority or of any public officer, other than a plan submitted with an application under Chapter XXI, shall be destroyed without the previous amotion of Plans not to be destroyed without the Governor-General in Conneil.
- 271. The Cantonment Magistrate shall maintain a register showing, in regard to all Government land held by lessees and not situate in the bazar, other than State, sarf-i-khas and paigat lands (whether the sites were occupied by the lessees before or after the commencement of the Secunderabad Cantonment Register of Government had beid lesses outside bases, other than a coef-i-base and polycal land. Code, 1903), and the buildings situate thereon, the following particulars, so far as they can be ascertained, namely :
 - (a) the name of the cantonment and the number and date of the order declaring it to be a cantonment or defining its limits;
 - (b) a reference to any similar register kept before the commencement of the Secunderabad Cantonment Code, 1908;
 - (a) the date of registry of the site;
 - (d) the number of the site as shown on the general plan maintained under section 266;
 - (a) the dimensions of the site :
 - (/) the boundaries of the site;
 - (g) is the case of a site occupied before the commencement of the Becanderabad Cantonnent Code, 1903, the date of the permission to occupy the site, and, in case of a site occupied after the commencement of the Secunderabad Cantonment Code, 1903, the date of the lease executed by the lessee under the said Code, or under section 264;
 - (A) the name and description of the lessee at the date of registry;
 - (i) the name and description of the lesses's agent (if any) at the date of registry;
 - (i) the nature of the lessee's right under this and the Secundershad Cantonment Code 1903, or under any other provision of law, including the particulars of any special right of occupancy;
 - (#) the estimated value of buildings on the site at the date of registry;
 - (1) the dates of authorities to add to buildings; and
 - (m) all changes occurring from time to time, whether by transfer, by alterations or additions, by decisions of committees of arbitration, in dimensions, in value, or in agency.

Replanation .- In this section the expression "date of registry" means the date of entry in the register maintained hereunder.

- 272. The Cantonment Magistrate shall maintain a register showing, in regard to all Government land held by lessees and situate in the barar, other than State, sarf-i-khas and paigas lands (whether the sites were occupied by the lessees before or after the commencement of the Secundershad Cantonment Code, 1908), and the buildings situate thereon, the following particulars, so far as they can be accertained, namely:—
- - (a) the name of the bazar ;
 - (5) a reference to any similar register kept before the commencement of the Secunderabad Cantonment Code, 1908;
 - (a) the date of registry of the site;
 - (d) the number of the site, as shown on the bazar-plan maintained under section 267;
 - (a) the dimensions of the site;
 - (f) the boundaries of the site;
 - (g) in the case of a site occupied before the commencement of the Secundershad Cantonnent Code, 1908, the date of the permission to occupy the site, and in the case of a site occupied after the commencement of the Secundershad Cantonnent

Code, 1803, the date of the lease executed by the lease under the mid Code, or under section 264;

(4) the name and description of the lessee at the date of registry;

(i) the name and description of the lessee's agent (if any) at the date of registry;

(i) the estimated value of buildings on the site at the date of registry;

- (k) all changes occurring from time to time, whether by transfer, by alterations or additions, in dimensions, in value, or in agency; and
- (6) the dates of authorities to add to building.

Explanation. In this section the expression "date of registry " means the date of entry in the register maintained bereunder.

273. The Cantonment Magistrate shall maintain a register showing in regard to all land which is State, sarf-i-khas or pargak land or which is private land.

State, sarf-i-khas or pargak land or which is private land.

following particulars, so far as they can be ascertained, Register of State. surf-i-hios, points and private land. namely,

(a) the name of the cantonment;

(b) a reference to any similar register kept before the commencement of the Secunderabad Cantonment Code, 1903;

(e) the date of registry of the site;

(d) the number of the site as shown on the general plan;

(c) the dimensions of the site;

(f) the boundaries of the site ;

(a) the name and description of the owner at the date of registry;

- (A) the name and description of the owner's agent (if any) at the date of registry;
- (4) the particulars of the owner's right by reference to any acknowledgement by the Government, or any other proof;

(j) the estimated value of buildings on the site at the date of registry; and

(2) all changes occurring from time to time, whether by transfer, by alterations or additions, in dimensions, in value or in agency.

Explanation. In this section the expression "date of registry" means the date of entry in the register maintained hereunder.

274. (1) The Cantonment Magistrate shall maintain a register of transfers, in which he shall from time to time enter references to all transfers of Recipter of transfers. immoveable property-

2.71 of 1909.

- (a) registered in his own office, where he is himself Registrar or Sub-Registrar of the cantonment under the Indian Registration Act, 1908, as applied to the cantonment of Secunderabad, or
- (b) appearing in the copies forwarded to him by the Registrar of the district under section 29, sub-section (2), of the Cantonments Act, 1910, as applied to the cantonment of Secunderabad,

ET of 1910.

(80)

no the case may be. (2) The register of transfers shall contain the following particulars, namely :-

(a) a serial number for each transfer;

(b) the date of registry;

(c) the distinguishing number of the site as recorded in the register maintained under sections 271, 272 or 273, as the case may be;

(d) the name of the transferor;

- (e) the name of the transferee :
- (f) the nature of the transfer, that is to say, whether by sale, mortgage, gift exchange or bequest;

(g) the date of the transfer ; and

XVI of 1986.

(k) where the cantonment has been constituted a district or sub-district for the purposes of the Indian Registration Act, 1908, as applied to the cantonment of Secunderabad, references to the Indexes Nos. 1, II and III kept in the cantonment ander sections 54 and 55 of that Act.

Explanation -In this section the expression " date of registry " means the date of entry in the register maintained hereunder.

275. Reference, when possible, to the serial number in the registers of transfers shall be sufficient record in the register maintained under sections 271, 272 and 278, respectively, of changes occurring by transfer.

- 276. (1) The cantonment authority shall, in the mouth of July, in each year, make an inspection of the registers maintained under sections 271, 272 and 278 respectively and shall accortain—
 - (a) whether all the changes referred to in section 271, clause (a), or in section 278, clause (4) which have taken place during the last preceding twelve months, have been duly noted in the appropriate register; and
- (b) whether any of the said registers are in such a condition as to require renewal,
- (3) The cantenment authority may give such directions as it thinks lit after making an inspection under sub-section (I), and shall send a brief report to the Commanding Officer of the Cantenment of any action taken by it under this section.

CHAPTER XXIII.

SUFFLEMENTAL.

Bue-tome.

278. (1) In making a bye-law under section 174, the cantonment authority may direct Penalty for infringement of byo-laws. Extend to fifty rupees, and in the case of a continuing breach, with a further line not exceeding five rupees for every day after the first in regard to which the offender is convicted of having persisted in the breach.

(2) In lieu of, or in addition to, such fine as aforesaid, the Magistrate may require the offender to remedy the mischief so far as it lies within his power to do so.

279. (1) No bye-law made under section 174 shall come into force until it has been confirmed by the Resident at Hyderabad and published for such time and in such manner as the Resident may prescribe in this behalf. Condition of bye-laws.

(2) The Resident at Hyderabad may cancel his confirmation of any such bye-law, and thereupon the same shall cease to have effect.

280. (1) The cautonment authority shall, before making any byn-laws under section
Procedure in making bye-laws. 174, publish, in such manner as may, in its opinion, be
sufficient for giving information to persons interested, a druft of the proposed bye-laws, with a notice specifying a date on or after which the draft will be taken into consideration, and shall, before making such bye-laws, consider any objection or any suggestion which may be received from any person with respect to the draft before the date so specified.

(3) If, on such consideration of the draft, any modification its made, the Resident at Hyderabad shall determine whether or not the draft shall be republished for further criticism under this section.

(3) Every bye-law made by the cantonment authority shall be notified in English and in such other languages or languages as the Resident at Hyderabad may direct; and such notification shall be conclusive proof that such bye-law has been duly made in accordance with the requirements of this section.

Delegation of Functions.

281. (1) With the previous sanction of the Governor-General in Council, the Resident at Delegation of functions of Castomeent Hyderabad may, by order published in the Hyderabad Residency Orders, authorise any person mentioned in such order to discharge any of the functions imposed by this Code on the Cantonment Magistrate, except those imposed by Chapter XXI.

Provided, first, that a person so anthorised shall discharge such of the said functions only as the Cantonment Magistrate may, by order in writing, assign to him; and

Provided, secondly, that the Cantonment Magistrate may, by a like order resume any functions which he may have so assigned.

(2) In the discharge of any functions so assigned to him, such person as aforesaid shall, under the control of the Cautonment Magistrate, have the same powers and responsibilities as the Cantonment Magietrate.

282. With the previous sanction of the Resident at Hyderaland, the Officer Commanding the Division may, by notification in Divisional Orders, delegate any of his functions under this Code to any officer Delegation of frautions of Officer accumunding the Division. named in such notification ; and may, in like manner, vary or rescind any notification so made.

- Delegation of Cantonment Committee may, by order in writing, delegate any of its functions of Cantonment Committee as sub-committee consisting of any two or more of the members of the Cantonment Committee.
- (2) Every order passed by a sub-committee appointed under sub-section (1) shall have the same effect as an order of the Cantonment Committee :

Provided that the Cautonment Committee may, in any particular case, require that may order so passed be submitted to it for confirmation before issue.

Nations.

254. Where any notice issued under any section of this Code requires an act to be done, for which no time is fixed by such section, the notice shall specify a reasonable time for doing the same; and it shall rest with the Court to determine whether the time so specified was a reasonable time within the meaning of this section.

285. Where it is provided by this Code that a notice may be given to the owner, lessee or Notice to whom to be given.

Occupier of any land or building, and the owner or lessee and the occupier are different persons, the notice shall be given to the one of them primarily liable to comply with such notice, and, in case of doubt, to both of them:

Provided that, where there is no owner or lessee resident in the cantonment, the delivery of the nation to the occupier shall be sufficient.

Authentication and validity of notice and support authority is used by contonnect authority.

- (a) by the President or Secretary of the Cantonment Committee ; or
- (b) by the members of any sub-committee specially authorised by the Cantonment Committee in this behalf.
- 257. (1) Unless it is in this Code in any case otherwise expressly provided, every public notice issued than under shall be published by proclamation or in such other manner as the Resident at Hydershad man direct.
- (2) Such proclamation as aforesaid shall be made by such method as the authority issuing the notice, or the Cantonment Magistrate, may deem to be the customary method.

Penalties and Prosecutions.

- Possities.

 Possities.

 This Code, fails to comply with any notice theraunder, or otherwise commits a breach of any of the provisions thereof, shall be punishable with imprisonment for a term which may extend to eight days, or with five which amy extend to fifty supers, and, in the case of a continuing breach, with an additional line, not exceeding five rapees, for every day after the first in regard to which he is convicted of having persisted in the breach.
- (2) In lieu of, or in addition to, any fine imposed under this Code, the Court may require the offender to retuckly, so far as it lies within his power to do so, any mischief in respect of which the fine is imposed.
- 289. No person shall be liable to punishment for a breach of any of the provisions of this Code unless complaint of the breach is made within three months after the commission thereof before a Magistrate having jurisdiction to entertain the complaint.

Miscellaneous.

- Execution in case of failure and under this Code, been required to perform, the cantoument authority of cost thereof.

 By a notice issued under this Code, been required to perform, the cantoument authority may came the set to be performed, and may recover the cost from him.
- (2) Any money claimable by the cantonment authority under this Code, otherwise than on account of a tax, may be recovered on application to a Magistrate having parisdiction within the limits of the Cantonment, or in any other place where the person from whom the money is claimable may for the time being be resident, by distress or sale of any moveable property within the limits of his jurisdiction belonging to such person.
- (3) When money is recoverable from the owner of property, it shall, until it is paid, be a charge on the property.

291. (1) The cantonment authority shall maintain such standards as it thinks fit for the purpose of verifying weights and measures, and shall provide proper means:— Verification of weights and measures.

(a) for verifying weights and measures in use in the cantonment by comparison with such standards us aforesaid; and

· (b) for stamping weights and measures so verified.

(2) The cantonment authority may, by public notice, fix the times and places at which a servant of the cantonment authority shall attend for the purpose of such verification as oforesaid.

292. (1) The cantonment authority may, in any case not otherwise provided for, make compensation for damage resulting compensation out of the cantonment fund to any person sustaining any damage by reason of the excreise of any of the powers vested in the cantonment authority, its officers and servants, by this Code, and shall make such compensation where the person sustaining the damage was not himself in default in the matter in respect of which the power was exercised.

(2) Where any dispute arises touching the amount of any compensation which the contournent authority is required as aforesaid to pay for injury to any building or land, the matter shall be referred to, and decided by, a committee of arbitration constituted under Chapter XX.

Powers to be exercimble from time to time.

208. Every power conferred by this Code on the Resident at Hyderabed, the Officer of the Commanding to be exercised from time Captoniuent, the cantoniment authority, the Sanitary Officer of the Captoniuent, the cantoniment authority, the Sanitary Officer or the Cautonment Magistrate may be exercised from time to time as occasion requires.

Recontion of work in cases of emergency, the Cantonment Magistrate may direct the execution of any work or the doing of any act which the cantonment authority is empowered to execute or do, and the immediate execution or doing of which is in his-opinion nacessary for the service or safety of the public, and may direct that the expense of executing such work shall be paid from the cantonment fund:

Provided that-

(a) he shall not act under this section in contravention of any order of the committee;

(b) every direction given under this section shall be reported to the next following meeting of the committee.

295. Where a notification under the Cantonments Act, 1910, as applied to the cantonment Method of framing notification.

of Secundershad, or under this Code has been published KY of 1910;

at length in the Hyderabad Residency or im Station or

Divisional Orders, it shall be sufficient in any subsequent notification to the same effect Orders as aforesaid to refer to the number, date and subject of the previous in such notification.

296. No notice, order, requisition, license, permission in writing or other such document.

Falidity of notices and other document issued under this Code shall be invalid merely by reason of any defect of form.

297. No act done, or proceeding taken, under this Code, shall be questioned merely by reason of the existence of any vacancy in the Cantonment Committee or in any sub-committee, or on account of any slideste proceedings. Vacancies and irrogularities not to invalidate proceedings. defect or irregularity not affecting the merits of the case.

298. (1) A copy of this Code and of any bye-laws made under section 17) shall be kept Bules and bye-laws to be available for during office hours to the inspection, free of charge, of any inhabitant of the cantonment.

(2) Copies of this Code, including any such bye-laws as aforesaid, shall be kept at the office of the cautonment authority for sale to the public.

SCHED

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(See Chap

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FORM 5

REGISTER OF PAYMENTS

FROM THE

____CANTONMENT FUND

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THE GAZETTE OF INDIA, NOVEMBER 29, 1913.

1196

[PART]

FORE

Budget Estimate of Receipts into and Bependiture from the

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(Signed)

Closing balance Grand Total

President, Cantonment Committee.

FORM 8.

APPENDIX A.

Detailed list of artablishments provided for in the Estimate for the year 19 Cantonment Fund Budget Establishments engaged in General Administration. Establishments engaged in collection of Revenue. Cattle-pound Betablishments. Monthly Monthly Monthly Detaits. Details. Detaile. cost. cost. cost. Establishments for Cometery Retablish-Hospital and Dispersary Establishments. Vaccination Establish-Public Gardens Tree-tending and Forests. ments, Monthly Monthly Monthly Monthly Details. Details. Details. Details. cost. -rodat. cost. cost. Retablishment for Public Fairs Water-supply Retablishments. Mircellaneous Petty Establishments. Monthly Monthly out. Monthly [Details. Details Details. çû f. cost.

FORM 8.

APPENDIX A-sould.

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President, Cantoument Committee.

(Signod)-

Becristary, Cantonment Committee.

FORM S. - APPENDIX B.

Detailed list of expenditure provided for in the ______ contoument Fund Budget Estimate for the year other than that included in Appendices A, C, and D.

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President, Contonnest Committee.

(Signed)...

Major Hoad .. "Public Works "

FORM S.

APPENDIX C.

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(Rigned)

Secretary, Cantonness Committee.

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PART I-] THE GAZETTE OF INDIA, NOVEMBER 20, 1918.

1209

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SCHEDULE IL

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BILL REGISTER.

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PART [] THE GAZETTE OF INDIA, NOVEMBER 20, 1913.

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FORM III.

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Form III.			<u> </u>		·	== : : : :					R	egistor	of Mi	scellaneou
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House No. BOUNDERABAD CANTONMIT for the balf-year ending— Committee Office, 191 .	. Dr.	TIBE.			Secretary to Contonnent Committee. Earlien paying most oblids agenture of the
House No. ECUNDERABAD CAr for the half-year ending the beauties offer, the beauties to the Miles of the bill.		NTONMEN'F COMMI			Secretary to 4. sequitions. Further paying was
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Form IV.

House Tax.
H. S. Rs.

Form IV-contd.

Date of first demand.

- ,, escond demand.
- " of transfer to Arrears Collecting Establishment

Amount of process if any lavied.

Date of payment.

ontents received.

Tax Collector.

Rate payers are requested to see that tax bills presented to them are free from alterations or erasures. Any payment made by them on altered or erased bills will not be recognised in cases of disputes. Due notice will, however, be taken of personal or written report before payment is actually made on such bills.

Pe -		ļ		1	militer.
	Bazar	191			Secretary to Cantonness Committee.
the No.	To SECUNDERABAD CANTONMENT COMMITTEE	or the half-year ending			ء نئب
Occupies of House No.	Situated in To SECU	Conservancy Tax for	II. S. 185.		Cantonment Committee Office, Secunderabad,———————————————————————————————————

No.

House No.
Conservancy The

H. S. Ka.

Form V-gontd.

" Date of first demand.

,, " second demand.

,, transfer to Arrears Collecting Department.

Amount of process if any levied.

Date of payment.

Contents received.

Tax Collector.

Rate payers are requested to see that tax bills presented to them are

free from alterations or erasures. Any payment made by them on altered

or erased bills will not be recognised in cases of disputes. Due notice will,

however, be taken of personal or written report before payment is

actually made on such bills.

		9		of Conmi
	Rosar	BNT COMMITTER	191	Accressory to Saukonmeny Committee.
BILL No.	Occupier of House No	TO SECUNDERABAD CANTONMENT COMMITTEE	Water Tax for the half-year ending	Cantonment Committee Office, Secund probad; The nigrature of the Secretary to this bill is not an acquitment, collector on back of this bill.

Form VI.
Nu.
House No.
Water Tex.

H.8, Ra.

PART 13 THE GAZETTE OF INDIA, NOVEMBER 20, 1913.

1224

Form VI-contd.

Date of first demand.

- , ,, second demand
 - ,, transfer to Arrears Collecting Establishment.

Amount of process if any levied.

Date of payment.

Contents received.

Tax Collector.

Rate payers are requested to see that tax bills presented to them are

free from alterations or erasures. Any payment made by them on altered

or erased bills will not be recognised in cases of disputes. Due notice

will, however, be taken of personal or written report before payment is

actually made on such bills.

THE GAZETTE OF INDIA, NOVEMBER 28, 1913.

Page I

1200

Form VII.

NOTICE OF DEMAND.

To

The owner of House No

Take notice that the sum of H.S. Ra. _____being the amount due from you as shown below is hereby demanded from you, and that if you do not within 15 days pay the same to an officer authorised to receive payment or into the office of the Cantonment Committee, the amount together with cost will be levied by distress and sale of your moveable property or otherwise as provided by law.

CANTONMENT COMMITTEE OFFICE,

Secunderabad, 191 Secretary to Cantonment Committee.

House tax for the half-year ending ... 191 Ra
Conservancy tax 101 ...
Water tax 191 ...

Note.- No fee is charged for the service on this notice.

Form VIII.

FORM C.

No.

DISTRESS WARRANT.

 \mathbf{T}_0

Amin

Whereas the occupiers of the houses, numbers and situation, as per list on the reverse, have not paid or shown sufficient cause for the non-payment of the sums shown against their names due for the taxes mentioned in the margin, although the said sums have been duly demanded in writing from the said occupiers and 15 days elapsed since the service of the Notice of Demand.

This is to require you to distrain the moveable property of the said owners of houses wherever it may be found within the Cantonment, except ploughs, plough-eattle, tools, or implements of trade or agriculture or any other moveable property, subject to the same exceptions, which may be found upon the premises to the amount of the sums noted on the reverse, and the further sum as shown against each house to defray the charges of taking, keeping, and selling such property, and if, within 10 days next after such distress, the sums noted on the reverse shall not be paid, to sell the said property, and having paid and deducted out of the proceeds of the sale the sums as shown on the reverse and the charges of taking, keeping and selling such property, to return the surplus (if any) on demand to the person whom you shall have found in possession of the said property and if no demand be made, to pay the same to the Committee. If distress cannot be made of sufficient property of the said occupiers of houses, you are to certify the same to the Committee in returning this warrant.

Secretary to Cantonment Committee.

Office of the Secy, to Cantonment Committee, Secunderabad,

Dated

191 .

Tax for half-year ending

191

Form VIII-contd.

erial House No. No.	Locality.	Name of occupier.	Amount of	Distress warmet lee.	Date of recovery or levy of distress.
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88					
34					
85	*				

Secretary to Contonment Committee.

Ferm IX.

Form of Inventory Notice.

Take notice that I have this day soized the property specified in the above inventory for the sum of H. S. Rs. due for the taxes (or rates) mentioned in the margin and that unless you pay to me or into the office of the Cantonment Committee of Secundorabad the said sum of H. S. Rs. and the further cost of this distraint as specified below within 10 days from the day of the date of this notice the property will be sold.

SECUNDERABAD;

Dated the

191

Secretary to Cantonment Committee.

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			Hendar.	ž.	
		PERCHABILITY.	Water fax at Per cent.	3	
		CALITICATED ON THE PROPERTY COLUMN 13.	Conservation was no bouses without last free and and and asset per annual seq.	with the second	
		T TAK CALICUL	Committee the on between powers at 5 per cent. yet manding.	2	
	PRESENT ASSESSMENT	Barranting var	House tax at 7 per cent. per annum.	40	
	PRESENT	queur	The gross anisael letting finally fixed by the Canton Counsilities.		
egioter.		rabemetr.	the determined by enquiry to an a second spiritual section in the second	=	
Assessment Register.		ANYORL VALUE OF ERSCHIFF	As stated by paraors con- cerned in the absence of year bills.	2	
Acre		4 NAT	l -flid sear Ag awods as	di	
	PAPER S	1	friegoing aid: \$0 outlant latinates.	40	
		ad see	secon secon sets wither W	F=	
			Steine of occupier.	=	
			Abere of to water.	17	
			Tonerloiden of the property.	4	
	70 H		Present No.	6	
	Nowsen of	PROPERT.	Previous Ma.	A	
Form X.	-cad	ed), d	Marys of the locality law which	٠	
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THE GAZETTE OF INDIA, NOVEMBER 20, 1918. Mariant for HANNER DARWER TO PRIT NEAN'S BROTTNES. Amount of declarated. 벁 -tirm med formalf ä dereb. A Ħ Pohrama. · Szenke p 90 G Эневанрев. COLLECTION OF WARRANT WHIS IN зацияльно 8 -radottsO Andmitted ... REGISTER OF WARRANTS. 3.0 Takang 10 17 $\mathcal{A}_{[0,T]}$ Britis (. Aug ; 23 Nature of tax Appli, 2 Date of contestion. 8 Ф dvolo edd konimistal. Ant doggester Tat double of hotels to a solution of the solu og Institutions Name of party. to suesi to staff dustan Form XI. Al ref Warrant No. .ok labed o 2

PART []

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=	REMARKS. If the animal dies or is rold by public suction the fact should be entired in	this column.
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	83 % GD 6	Station
at		51, G
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	Name, father of manne, and residence of person releasing the result of the father of the result of t	
T THE	Name, some, some servers and residence of conner	
Register of cattle impounded and releaved at the	ALTICULARS OF ARTHALS INPOUNDED.	Finals Gard Gard Gard Gard Gard Gard And And And And And And And A
	Name, father's name, and residence of the period who impranded the cattle. If a constable give	
	Month and date.	

Aceta, Clerk, C. M.'s Office, Beennderabad

oM castadO d3137/

Beceived in Copper

Received in Silver H. S.

THE GAZETTE OF INDIA, NOVEMBER 29, 1918.

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Form XIV.

[PART I

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THE GAZETTE	OF	INDIA,	NOVEMBER	29,	1913.
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PART I]

1232	161	THE	GAZE	TTE O	FIN	DIA,	NOVE	rber 20	1918.	District Disperintendent of Police,	Registering Queer.
* SECUNDERARD.	HACKNEY CARRIAGE DRIVER'S LICENSE,		****** Fee H. 9. 30.	######################################	the state of the s	Augusta Augusta	***** [condense in full**	++++ +++++ In what stable employed	*****	All the second of the second o	
FOUR XV. SECUNDERABAD.	HACKNEY CARRIACE DRIVER'S LICENSE, 191 .	Serial No		Driver's name	Father's name	Age and carte	Besidence in full	In what stable employed	Date of inque Date of expiry, 31st December 181	District Superintendent of Police,	Registering Officer.

Form XVI.

SECTIONSTRABAD

HACKNRY CABRIAGE LICENSE, 191

HACKNEY CARRIAGE LICENSE, 191

First Class.

SECTINDBRABAD

First Class.

Lineanse No.

Fee II. S. ka. . . .

Owner's narde

Do. meidonos

Description of carriage

To earry

To be drawn by-

Date of issn"

Date of expiry, \$1st December 191

The aminest beautiful the number of this license may be used with other; webides of a server different license mumber, but the relicies must be of the same class and helong to the owner of the license mumber, but the relicies must be of the same class and helong to the owner of the license mumber, but the relicies must be of the same class and helong to the owner of the license and helong to the owner of the license mumber, but the relicies must be of the same class and helong to the owner of the license and helong to the owner of the license and helong to the owner of the license and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the same class and helong to the owner of the owner

New H. S. Hs. IIAC

*** Do. residence ***** Owner's name

Description of carringo.

To carry

Her To be drawn by

*** Date of issue

.... Date of expiry, 31st Desember 191

Register of Hackney Carriage Drivers 191.

Form XVII.

si		- 1
3 DA ARES.	,	
Register- ing Officer's initials.	-	
Signature of Account-		
Fee recovered for badge.		
Driver's residence in full		
Driver's	· · · · · · · · · · · · · · · · · · ·	
Name, parentage and caste of driver with Driver's Driver's residence in full age.	·	
Date of issue of driver's license.	-	
Name of proprietor of carriage.		
No. of license of hackney carriage.		
No. of driver's badge.		

Signature of applicant. Orders of Registering officer. Name and residence of seller and buver in case of transfer of ownership. Form of application under Hackney Carriage Rules. Name of proprietor. class of vehicle Natme of application. Residence of applicant. Name and father's mand of applicant. Forn XVIII. Date r X.,

THE GAZETTE OF INDIA NOVEMBER 29, 1978.

Part I.

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	Remarka Series	- i	· · · · · · · · · · · · · · · · · · ·
	Begintering Officer's initials.	24	
	Cash book	=	*
	Signature of Automatent.	01	
	Date of integer	æ	
. 10464	Face.	on .	
c received ach	Besidence	£~	e .
Anches Carriage Lecenses aregaster.	Name of owner.	12	
	Losd including driver.	1.5	
	Courregions of	75	4
	Class.	es	
	Bertal License No. No.	8 .	-

THE GAZETTE OF INDIA, NOVEMBER 89, 1018.

Part I

THE GAZETTE OF INDIA, NOVEMBER 80, 1918. PART I3 No. of animals animals to be need. Driver's basse. Register of Hackney Carriages examined and passed, 191 Ameunt. Locality where conveyance in kept, Ž, Clean Reddence, Form XX,

Total Amenint. 1 Dishursement. Hackney Carriage Cash Account. Month and date. POLICE OPFICE. Total. **8** Amount Receipts Form XXII. Month and date.

r 1]	THE (GAZETTE OF INDIA, NOVEMBER 29, 1813.	1289
	RECES.	•	
	Initials of Initials of Registering Accountant Officer		
	Cash book reference.		
branded, 191	Residence.		
Begister of Spare Animals branded, 191	Father's name.		
Register	Ожпет'я вытак.		
	Description of animal branded.		4
,	No. of Class		
lorm XXXI.	Serial Date of No. branding.		

Form KKIII.

ASSESSMENT BOOK

List of persons liable to the tax on vehicles and animals under

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1		_				Fills	T QUARTE	N.							
Names of perions Liable to the lity	De	respect of	d achiel which o	les or naim sirk jarson le tax	de in l	Asses	iament, rem	ileston,	notice	nd seen	ant fee	and c	ollec	tions.	1
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Post of	Residence. Fogr-wheeled metor care.	Four wheeled- vehicles, other then motor cars,	Two-wholed vehicles.	Carls or back- erles. Borses or public	of the being 13 Lumber upwarde.	Anmedich	Reni⊶ion anr).	Bill No.	Receipt No.	Cortae Fan	Warrant feet.	Date of	Jo Haitigi	caiving Officer.	
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	of which	each period the las	ne ir tini t,	ble to		Thisp o	monent's remain	No No	e pt No.						

PART I] THE GAZETTE OF INDIA, NOVEMBER 28, 1915.

1248

Form XXV.

Rule H of R. O. Netz. No. 89, dated 20th December 1946.]

NOTICE OF DEMAND.

	of	
	Take notice that the Collector demands from you the su:	m of
B	due from you	on account of
the tar	x leviable under the Hyderabad Residency Orders Notifica	stion No. 38
dated	20th December 1905, for the quarter ending on the.	191 ,
ав рег	r hill No , dated	, already
preser	nted to you; and that if the sum due is not paid into the a	aid Collector's
O M ce	e at, or if sufficient cause	for the men-
baym	ment of the sum is not shown to the Collector with in fifteen	days from the
servic	ice of this notice, a warrant of distress will be issued for the	recovery of the
00000	with costs.	

Signature of the Vollector.]

Form XXVI.

Rule 3 of E. O. Nets. No. 88, dated 98th December 1985.

No.

SCHEDULE sent to	
with a request that	will, agreeably to No. 3 of the Bules under
the Residency Orders Notification	No. 89, dated the 20th December 1905, fill
up and return the same to the und	dersigned within one week from the receipt
thereof, whether	be liable to, be assessed with, the tax or not.
SECUNDERABAD,	Cantonment Magistrate and Collector,
191	Secunderabad.

Norm.—If the schedule be not externed within the mentioned time, with full details in the remarks column as to the broken period, if there be any, and of military charges, ste., no complaint will be taken into consideration, and the bill will not be amended.

Description of vehicles and unimals owned by, or in the rge of, the person to whom schedule is some for completion.		No. exempt ns Military charger.	Remarks.
Ponr-wheeled motor cars on springs .	1	,	
Four-wheeled vehicles on springs except motor cars	 		•
Two-wheeled vehicles on springs .		-7 -	
Carts or hackeries drawn by bullocks.			
Horses or ponies of the height of 12 hands and upwards	:		1
-1			

[Signature of person completing schedule.]

(Schodule A of Residency Orders Notification No. 61 of 1st July 1907.)

Form KKVII.

APPLICATION FOR LICENSE TO DRIVE A MOTOR-VEHICLE.
1. Full name of applicant
2. Postal address of residence of applicant
8. Whother applicant is over 18 years of age
4. Whother applicant holds, or has at any time previously held, a license
5. Particulars of any license which applicant holds, or which he has pre-
viously held
6. Particulars of any endorsement on any license which applicant holds, c
which he has previously held

Signature of the applicant

flated

•••	1.
(Schedule C of R. O. Notification No. 61 of	let July 1907.)
APPLICATION FOR REGISTRATION OF	
1. Full name of owner_	
2. Postal address of usual residence of owner.	*
3. Description or type of motor-vehicle	
4 Type and colour of body of vehicle	
5. Weight unladen	
6. *Axle weight	
8. Width and material of (yres	
9. Maximum speed	
10 Number of cylinders	
11. Horse power.	
12. Whether intended for—	
(a) private use	
(b) use for trade purposes	
 (c) use as a public conveyance 	
Dated 191 .	Signature of the applicant.
"Information to be given only in the case of heavy	motor-venies or trailer.
Form XXIX.	[Schedule B.]
No. of 19 .	
7100	Fee Rs. 2 (to) only
	21
MOTOR-VEHICLE LICI	
granted under section 5, Sub-section (2), of the 8	secunderabad Cantonment and
the Residency Bazars Motor-Vehicle Law, 1906.	(NOT TRANSPERABLE.)
Mr	(m. dr. B. Ledoner Bu dem die weder verbild ded)
Address	
is hereby licensed to drive a Motor-Vehicle for th	e period of 12 months ending
on the 31st December 19 .	

ART I] THE GAZETTE	OF INDIA, NOVEMBER 29, 1913.	·
+ S	CHEDULE III.	,
	(See section 208.)	
FORM OF NO	PICE TO ATTEND AT HOSPITAL, ETC.	
	a 208 of the Seconderabad Cantonment Co	de, 1913, you as
nerchy called upon to attend at the		
on	, 19, at0	CIOCK
and not to quit the said	without the permission of the Medica	! Officer in char;
unless and until that Officer is sati	islied that you are not in fact suffering, o	or are no long
cuffering from an infectious or col	ntagious disorder, that is to say, from	
Surpring, trans		. "
		u*
	Medical Officer	in charge of t

SCHEDULE IV.

(See section 242.)

CASES IN WHICH POLICE MAY ARREST WITHOUT WARRANT.

1	2	, 1		
Section.	Subject.	Bectic	n.	Subject.
	PART A.		PART	B-contd.
67 (a) (i)	Drunkenness, etc.	144		Laving vehicle or ani ma without proper control.
97, -	. Making or relling of food, etc., or washing of clothes, by infected		•	. Obstructing street.
	person.	161		Polluting source of public drinking water-supply.
•	PART B.	1149		. Impairing quality, or dimi-
67 (a) (ii) ** ** ***	. Using threatening of abusive words, etc.		*	nishing quantity of water in source of public drink- ing water-supply or injur-
67 (a) (iii)	. Indecent exposure of per- son, etc.:			ing or impairing useful- ness of water-works.
67 (a) (iv)	Begging.	168		. Trespass on water-works.
67 (a) (v)	Exposing deformity, etc	. 166	•	 Throwing corpse into a source of public water- supply,
67 (g) (vii)	. Gaming.			որքեր,
67 (a) (xii)	 Destroying public notice etc. 	, 170	•	 Bathing or washing at public well or spring so as to pollute the water.
Bî (a) (xiii)	Breaking direction past	171	•	Bathing or washing at any public place which has been probibited.
H7 (g)	house, etc.	175		. Feeding unimal on filth,
67 (8)	Intruding on bathin, place, etc.		,	etc.,
67 (e)	L. Playing music.	21세 (원)	•	. Remaining in, or re-enter- ing, cautonment after notice of expulsion for
87 (i)	 Singing, etc., so as t distrib public peace of order. 			failure to attend hospital or dispensity.
67 (#)	Firing gun, or doing oth act, so as to frighte animals or cause anno;	গ	•	 Introducing liquor or drug into hospital or dispen- sury.
	ance or danger.	1213		Mendicancy. 4
67 (u)	. Baiting.		-	
91F (2)	Destroying, etc., name of street or number affixe	214 af :	4	for sexual immorality.
	to building.	812	*	Remaining in, or return- ing to, a cantonment
140 .	. Rash riding or driving	1216		after notice of expul-
141 .	. Riding or driving at tim	ne	4	
142	or in manner prohibite Driving, etc., between	n 218		. Cruelty to unimals.
	nightfull and daw without a suitable lare	JD 351		Letting off fireworks, etc., without permission.

SCHEDULE V.

(See Chapter XIX.)

APPEALS FROM EXECUTIVE ORDERS.

. 1		8	1	4
n Geddom		Executive order.	Appellate authority.	Time allowed for appeal.
	Cantonmer missing authority	nt Vagistrate's order, dis- servant of captonment		
21	(1) Whose	e salary is less than twenty e rapecs a month.	Cantonment au-	Thirty days from date of order.
	(2) Whose twent	se calary is not less that y-five rupees a month.	n Resident at Hyderabad.	Do.
78 (s) ···	Cantonno vide suf	ent authority's notice to proficient drainage.	Officer of the Cantonment.	Fifteen days from service of notice.
82 **		ept authority's notice to fi nk or marshy ground, or ff or remove waste or stay ster.		Thirty days from service of notice.
85 , 4	ing a altered defects		consultation with the Office Commanding the Division.	in
92 (1)	sanctio	nent anthority's refusal m the erection or re-erecti silding.	to First Assistant on Resident.	date of refusal.
98 (8)	Cantome or dem	ent authority's notice to al solish a building.	ter Do.	Thirty days from nervice of notice.
9 5 ,	baildi baildi	ment authority's notice to p or otherwise deal with ng newly erected or re-bo at permission over a new culvert, water-course or wa	uilt Cantonment.	the .
¥8	Canton repair	ment authority's notice protect or enclose a build tank, reservoir, pool, dep or excevation.	to Do.	Do.
97 #	or a	ment authority's notice we a building, wall or struct nything affixed thereto, , or tree, or to repair a , wall, structure or bank.	or s	Do.
100 (1)	Canton	nment authority's notice	First Assist Resident.	ment Do.
, 119 (8)	Canto	nment authority's notic	Resident at derahad.	Hy-
128	bitiz	ament authority's notice pag or restricting the use ghter-house.	rohi- of a Resident.	Twenty-one da from service notice.
				2

SCHEDULE V-contd.

1	\$	8	4
Section.	Essentive order.	Appellate authority.	Time allowed for appeal.
:	Order of Commanding Officer of Contonment on report of Medical Officer, directing a person to remove from the cantonment and prohibiting him from re-entering it without permission.	11.6	Thirty days from service of notice.
'215 (8) ·····	Cantonment Magistrate's notice, directing a person to remove from the cantonment and prohibiting him from re-entering it without permission.		Do.
2]6 #* [Cantonment Magistrate's notice, issued on order of the Communding Officer of Cantonment directing a perion to remove from the cantonment and prohibiting him from resultering it without permassion.	sion.	, Do.
	Order of Commanding Officer of Camtonment refusing to convene a committee. Cantonment authority's notice, in pursuance of conditions of lease requiring a lease to let a house no already occupied by a military officer to a military officer.	Division.	Thirty days from dute of order.
264 and Schedule VI (Conditions of Lease).	Contonment authority's notice is pursuance of conditions of lease, a quiring a lessee to let a house to civil officer. Cantonment authority's notice, pursuance of conditions of lease, a quiring a tenant to vacate a house	1h	Twenty-one days from service of notice.

SCHEDULE VI.

(See section 264.)

FORM A.

(Form of lease to be executed in cases of land applied for by a railway company, or for the purpose of creating a hospital, echool or other public milding.)

This Indenture made the day of party of State which expression State for India in Council (hereinafter called the Secretary of State which expression where the context so admits shall include his successors in office and assigns) of the one part,

, (heroinafter called the Lessee (s) which expression where the context so admits that include the successors and assigns) of the other part, and

Where as the Lessee (a) that applied for permission to occupy, for the purposes of a building site, the land belonging to the Government in the delinested in the site-plan hereto appended, and had submitted with the application the particulars and documents required by sections 261 and 262 of the Seconderabud Cantonnest Code, 1918;

And whereas the said application has received the sanction of the Officer Commanding Division.

Now tels Indenture with reserve as follows:

1. The Secretary of State deth hereby grant unto the Lessee (s), liberty and license to enter into and apon the piece or parcel of land defineated in the site plan hereto appended, and henceforth to occupy the same as a side for the erection of buildings, and henceforth to hold and enjoy the same and any buildings creeted by the same and any buildings creeted by the same and "subject to the rouditions set forth in the annexure hereto.

2. The lesses (c) hereby covenant (s) with the Secretary of State, that the Lesses shall and will [† duly pay the said rent is the manner provided in the annexure hereto, and] observe all and every the conditions harminhaften interest. the conditions hereinbefore referred to and on the part to be observed.

the indeature. Strike out to suit facts.

When the parties arecute on separate of the day and add the date below the signature. The last of such dates will be enlared in the caused its common small to be affixed. The day and year first shows will be enlared in the caused its common small to be affixed. The day and year first characteristics. above written.

Signed, sealed and delivered by the Officer Commanding the Division acting in the premises for and on behalf of the Secretary of State for India in Council, in the presonce of

The common seal of the presence of

Company was hereto affixed in the

Signed, seeled and delivered by the above-named

in the presence of

Nors .- Copies of the form, with the appears, will be obtainable gratte on application to the Cautonment Magistrale,

ANNEXUES TO FORM A.

Countrions.

Condition I .- The buildings to be erected on the land shall be commenced within eig Commencement and completion of completed within the execution of the lease, and shall be completed within the period specified in the note endorsed on buildings.

such plan, or within such further period (if any) as the authority which sanctioned the application under Chapter XXI of the Secunderabed Cantonment Code, 1913, may, by order in writing, allow.

Condition II.—(1) The said buildings shall be erected in accordance with the particulars specified in the Lessee (s)' application under sections 261 and 262 of the said Cantonment Code and plans and documents accompanying the same and the site plan appended hereto or, where a proposed imilding, alteration or addition is not in accordance therewith then in accordance with such farther or other particulars as may be permitted in writing by the authority which sametioned the application under Chapter XXI of the said Code.

(2) Any such permission may in made subject to any conditions which may be agreed apon between such authority and the Lessee (s).

Condition III .- The land shall not be used for any purposes other than those specified in Use of land and maintenance of build- the Lessee (s) application under section 261, clause (d), of the Secunderahad Canton ment Code, 1913, nor shall the

buildings erected on the land be permitted to fall into each a state as absolutely to prevent their being used for the purposes so received:

Provided, always, that if the said buildings or any part thorough shall at any time be destroyed by earthquake, fire, cyclone or other act of God or shall be so injured thereby as to render them unfit for the purposes above specified then and in such case the Lessee (a) shall within a received any part that any time be destroyed by earthquake months from such destruction or injury we aforested commence to rebaild the same and render them untit for the purposes above specified then and in such case the Desset (s) shall within air calcudar months from such destruction or injury as aforesaid commence to rebaild the same and shall reinstate the same fit for use for the purposes aforesaid within such period not exceeding two years after the same shall have been so destroyed or injured, as aforesaid, as to the Officer Commanding the Division shall seem fit, provided nevertheless, that in no such case shall the Lesses (s) be required to rejustate the same lit, for use as aforesaid within a shorter period than twelve calendar months from the date of such destruction or injury.

Condition III-A .- "The Lessee (*) shall pay the said yearly rent of rapees by equal month instalments of rupeus said in-talments shall be paid on the fifteenth day of every and the * This clause to be struck out, if the land is rent free, month during the continuance of this demise for the month immediately preceding.

Condition IV.—(I) Whenever the Lesses (c) intend (a) to transfer by sale, gift, mortgage or exchange, the interest in the land, or in the buildings erected on the land, or in any part of the land or buildings, the or the intended transferse shall give the Cantonnent Magistrate one month's notice in writing before the transfer is completed.

(2) The Officer Commanding the Division shall have power, within the said period of one month and with the concurrence of the Resident at Hyderabad, to impose, by order in writing, his veto on any such transfer; and, if any case the Cantonment Authority considers it desirable that the said power of veto shall be exercised, it shall report the case to such Officer Commanding the Division without delay.

(3) If notice of any such trasfer is not given as aforesaid, or if any such transfer is made after the same has been vetoed, the transfer shall be avoid.

Condition F.—Every person on whom the Lesses (s) interest in the land, or in the buildings erected on the land, may devolve by transfer, by port of devolution of lesses in an expension or by operation of law, shall send to the Canton-Report of devolution of leases's indevolution, a report in writing of the fact, together with such particulars as may be required by that authority for entry in the register maintained under section 271 or 272 as the case may be of the Secundorabad Cantonment Code, 1915.

Condition VI.—(1) If the Leanes (s) does not commence or complete as required by Condition I the buildings to be creeted on the land, the Procedure on breach of Condition I (Cantonment Authority may, by notice in writing, require or Condition II.

may have erected or collected thereon and if it fail (s) to comply with such notice the Cantonment Authority may after giving them in hours further notice in writing, cause such removal to be effected and recover the cost from the and may also cancel the lease.

(2) If the Lessee (s) erect (s) any hullding or make (r) any alteration-or addition otherwise than me allowed by or under Condition II. the Cantonment Authority may, by notice in

writing, require to remove the building or to after the same to its satisfaction, and if juil (s) to comply with such notice of the Cantonment Authority, may after giving them six hours' further notice in writing, cause such removal or alteration to be effected and accover the oust from them.

Condition, VII. -(1) So long as the Lesses (4) shall duly [pay the mid rent of rapees and*] observe the conditions have before Protesture for branch of any other apsoided, and on the part to be characted, they may submoduline.

The words in branches to be emitted, i ject to Condition IX, held the land for ever without interruption by the Secretary of States.

(2) If the Leases (a) shall [fail to pay the said † rent of rapess for the words in brackets to be struct twenty-one days after the same shall become due or shall), in the event of the said buildings being destroyed or entire the land is rest free. In the event of God, fail to commence rebuilding the same injured by earthquake, fire, cyclone or other act of God, fail to commence rebuilding the same injured by earthquake, fire, cyclone or other act of God, fail to commence rebuilding the same injured by earthquake, fire, cyclone or other act of God, fail to commence rebuilding the same injured by earthquake, fire, cyclone or other act of God, fail to commence rebuilding the same reintended in Condition III hereof and within such reintended as therein provided, or shall break any of the conditions hereinbefore specified, other period as therein provided, it and on the part to be observed, the Resident at Hyderabad may, after giving one month's notice in writing, resume possession of the land or any portion thereof, and may, on such resumption, declare all or any part of the right and interest of the Leases (s) in the buildings spected on the land to be forfeited.

Condition VIII.—The Lessee (s) shall not be entitled to compensation for any loss incurred by reason of anything tions in pursuance of incurred by reason of anything tions in pursuance of Condition IX.—The Resident at Hyderabad may remme possession of the said land or any portion thereof at any time apon giving one calendar month's previous notice in writing in that behalf to the lessee (s) under the hand of some duly authorised officer and upon paying to the Lessee (s) compensation for such compensation the said term under proper authority. If there shall be any atthicted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be constituted as provided in Chapter XX of the Secunderabad Canton-Arbitration which shall be consti

(i) the original cost of materials and construction;

(ii) the condition of the buildings and their value at the ate of recumption;

(iii) the rent or profit (if any) or the equivalent which the Lessee may receive or enjoy from the rate of the buildings or on account thereof.

The Lessee shall not at any time during the said term remove the buildings erected on the said land or any part thereof nor make any structural alteration thereof or addition thereto without the like written permission as is mentioned in Condition II hereof.

FORM B.

(the section 964, Secunderabad Cantonment Gode, 1915.)

(Form of lease for an indefinite term to be executed in cases of extensions of axisting sites; or where it is desired to regularise existing grants; or in other exceptional cases where the grant of leases in Forms A, C and D is not suitable).

of State For Paper in Council (hereinafter called the Secretary of State which expression where the context so admits shall include his successors in office and assigns), of the one part THIS INDENTURE, made the the context so admits shall include his (hereinafter called the Leaves which expression where the context so admits shall include his heirs, executors, administrators and assigns), of the other part.

Whyaras the Lessee has applied for permission to occupy for the purpose of a building tite, the land belonging to the Government in the Cantonment which is delimited, the land belonging to the Government in the neated in the site-plan hereto appended, and has submitted with his application the particulars and documents required by sections 261 and 262 of the Sacundershad Cantonment Code, 1913;

And whaters the said application has received the canotion of the Officer Commanding Division;

Now this Independs With sessiff as follows :-

When the parties excepts on separate dates, cent the words "the day and the year first above written," and add the date below the algustoms. The last of such dates will be obtained in the commencement as the day of making the

1. The Secretary of State doth hereby grant unto the Lessos liberty and license to enter into and upon the piece or parcel of land delineated in the site plan hereto appended, and to occupy the same as a conditions set for the erection of buildings and henceforth to hold and enjoy the same and any buildings erected by him thereon we make to the conditions set forth in the amexure hereto.

2. The Lessee doth horeby covernat with the Secretary of State that the Lessees shall and will duly it pay the said rent in the manuer provided.

The words in brackets to be omitted, in the unnexure hereto and) abserve all and every the solutions hereinbefore referred to and on his part to be observed.

In witness whereof the said, parties hereto have here-unio set their hands and seals the day and year first above written.

Signed, scaled and delivered by the

Divison, acting in the premises for and on behalf Officer Commanding the Different Council, of the Secretary of State for India in Council, in the presence of

Nors Copies of this Prom and emousure and be obtained gratia of application jos the Canton and

ANNEXURE TO FORM B.

Connections.

In these conditions-

(a) "house" means the house erected on the land occupied by the Lessee, and includes the land and buildings appartenant to the house and if any question arises whether any land or building is appartenant to the house, it shall be decided by the Cantonnent Magistrate, whose decision thereon shall, subject to revision by the First Assistant Resident, be final a

(b) the expression " repairs " to a house shall be deemed to include such repairs as are usually made in the neighbourhood to buildings of the same class as that to which the house belongs, but does not include additions, improvements or alterations except in so far as they are necessary to barry out such repairs as aforesaid or have been made with Lessee's consent:

(e) hilitary officer "means a commissioned or warrant officer of the army an military duty in the cantonment, and includes a chaptain, a Cantonment Magistrate and any person in atmy departmental amployment whom the Officer Commanding the Division may, for the purposes of these Conditions, place on the same footing as a military officer; and

(d) "civil officer" means a gazetted civil officer of the Government, and includes any other person in the service of the Government, not being a military officer whom the Resident at Hyderabad may, for the purposes of these Conditions, place on the same footing as a civil officer.

Condition I .- The buildings to be erected on the land shall be commenced within six Commencement and completion of menths from the execution of the lease, and shall be completed within the period specified in the note endorsed buildings on the cite-plan annexed hereto or within such further period (if any) at the authority which sanctioned the application under Chapter KXI of the Secunderabad Cantonment Code, 1913, may, by order in writing, allow.

Condition II.—(I) The said buildings shall be erected in accordance with the particulars

Brection of buildings specified in the Lessee's application and sections 261 and
262 of the said Cantonment Code and the plans and documents accompanying the same and the site plan appended hereto or and the plans and docualteration or addition is not in accordance herewith them in accordance with such in the
or other particulars as may be permitted in writing by the authority which sanctioned the
application under Chapter XXI of the said Code.

(2) Any such permission may be given subject to any conditions which may be agreed upon between such authority and the Lessee.

Condition III.—The land shall not be used for any purpose other than these specified in the Lessee's application under section 281, clause (4), of the Secunderahad Cantonment Code, 1918; not shall the buildings creefed on the land ha permitted to fall into such

a state as absolutely to prevent their being used for the purpose so specified)

Provided always that if the said buildings or any part thereof shall at any time be destroyed by earthquake, fire, eyelon or other set, of God or shall be so injured shereby as to tender them unfit for the purposes above specified then and in such case the Lesses shall within six calendar months from such destructing or injury as storesaid commonce to rebuild the same and shall reinstate the same fit for use for the purposes aforesaid within such period not exceeding two years after the same shall have been so destroyed as aforesaid as to the Officer Commanding the Division shall seem fit. Provided nevertheless that in no such case shall the Lesses be required to reinstate the same fit for use as aforesaid within a shorter period Officer Commanding the Division shall seem fit. Provided nevertheless that in no such case shall the Lesses be required to reinstate the same fit for use as aforesaid within a shorter period than twelve calendar morphs from the date of such destruction or injury:

Condition II Is (A).*—The Lessee shall pay the said yearly rent of rupees by equal monthly instalments of rupees by equal monthly instalments of rupees and the said instalments shall be paid on the 15th day of every menth, during the continuance of this demise for the month immediately preceding.

the month immediately preceding.

Tower to vote transfer of Lease's exchange, his interest in the land or in the buildings, exchange in certain cases.

Lease's intended to transfer, by sale, gift, mortgage, or exchange, his interest in the land or in the buildings, exchange in certain cases.

Lease's exchange, his interest in the land or in the buildings exceeded on the land, or in any part of the land or buildings has or the intended transferee shall give the Cantonment

Magistrate one month's notice in writing before the transfer is completed. (2) The Officer Commanding the Division shall have power, within the said period of one month, and with the concurrence of the Resident at Hyderabad, to impose, by order in writing, his veto on any seek transfer; and, if in any case the cantonment authority considers it desirable that the said power of veto should be exercised, it shall report the case to such Officer Commanding the Division without delay.

(3) It notice of any such transfer is not given as aforesaid, or if any much transfer is made after the tame has been vetood, the transfer shall be void.

Condition K. Every person on whom the Lossee's interest in the land, or in the buildings erected on the land, may devolve, by transfer, by succession or by operation of law, shall send to the cantonment authority, within one mouth from the date of such devolution, a report in writing of the fact, together with such particulars as may be required by that authority for entry in the register maintained under section 271 or section 171 as the case may be of the Secunderabad Cautonment Code, 1913.

Right of the Garganizat to appropriate the house at any time for relate the house for accupation by any military officer or civil officer.

Condition VII.—If the Lessee lets the house to any person other than a military officer or (if the house has been set apart in accordance with condition X for occupation by civil officers) a civil officer, possession of the house shall not be given until—

(s) such it is not has executed a stamped agreement undertaking to vacate the house whenever required so to do in pursuance of a notice issued under Condition VIII or Condition X without claiming any compensation, and has registered such agreement under the law for the time being in force relating to the registration of documents, and

(b) the Lessee has forwarded an attested copy of such agreement to the cantonment authority.

Condition VIII.—Whenever the contonment authority considers that the right reserved by Condition VI should be exercised an behalf of any officer, where it is not already occupied by a military officer, it may, if the house is not already occupied by a military officer, and if it has not been set apart in accordance with Condition X for occupation by civil officers by notice in writing,—

(a) require the Lesses to let the house to the military officer named in the notice, and

(3) require the existing benant (if any) to recute the same.

Appropriation of house for a military officer where it consultant conflicts where it is consulted by another military officer.

Appropriation of house for a military officer where it is consulted by another military officer. officer, or vice versa, it may by notice in writing require the officer in occupation to vacate the house; and may, if necessary, by further approx in writing, require the Lossee to accept the change of tenancy.

Condition X:—(1) The cantonment authority may, at any time, with the previous sauction of the Officer Commanding the Division, given with the concurrence of the Resident at Hyderabad, set apart the bonce for occupation by civil officers.

(2) If the house has been so set apart, the arrangement shall not be revoked without the concurrence of the Resident at Hyderabad.

(3) If, while the house is so set apart, the cantonment authority at any time considers that the right reserved by Condition VI should be exercised in behalf of any civil officer, it may if the house is not already occupied by a civil officer, by notice in writing.—

(a) require the Lessee to let the house to the civil officer named in the notice, and

(b) require the existing tenant (if any) to vacate the same.

Condition XI.—(I) Whenever a military officer or a civil officer considers that a notice should be issued in his behalf under Condition YIII.

Procedure to be observed before a condition IX or Condition X, he may request (in the case of a regimental officer) the Commanding Officer of his regiment, or (in the case of a departmental military officer) the local head of his Department, or (in the case of a civil officer) the Continuent Magistrate, to make an application to that effect to the cantoniccut authority.

(3) On receipt of any such application the cantonment authority shall enquire into the

case, and it shall not issue the notice unless it is satisfied-

(a) that the officer ought to reside in the cantonment, and

(b) that the circumstances are such as to require its intervention, and

(c) that the rent offered by the officer for the house is masquable, and . (a) if the house is vacant, that it is suitable for the residence of the officer, and

(e) if the house is occupied, that it is suitable for the residence of the officer an that there is no vacant house in the contonment which is suitable for his residence.

Replanation.—In considering whether a house is suitable for the residence of an regard shall be had to (i) the locality in which his duties chiefly lie, and (ii) his rank.

Condition XII.—(I) The house shall not be occupied for the purposes of a hospital, bank, hotel, shop, or school, or by a milway administration without the previous written sanction of the officer Commanding the Division, given with the community of the Resident at Hyderabad. function to be obtained before bouse is easy, sed as boupted, bank, hotel, shop or subsoil or by a milway administration.

(2) Before application is made for such sanction the Commanding Officer of the Canton ment shall certify whether or not in his opinion the number of houses in the Cantonment as compared with the strength of the existing or probable garrison renders it likely that such occupation as aforesaid would-

(a) cause any difficulty in obtaining accommodation in the contoument or in the part of the contoument in which the house is situate for military officers or civil officers, or

(b) necessitate the acquisition of land at some future time about the extension of the cantonment.

House not to be appropriated for military a civil officer if is is compled with assetton as a hospital bank, hotel, shop or school or by a railway admini-stration or is otherwise appropriated by

Condition XIII.—No notice shall be issued under Condition VIII or Condition X if the house—

- (a) is accupied with the sanction required by Condition XII as a hospital, bank, hotel, shop or school, and has been so occupied continuously during the three years immediately preceding the time when the occasion for issuing the notice ATTRON, OF
- (b) is accupied with the canction aforcesid by a railway administration, or
- (c) is appropriated by the Resident at Hyderabad with the concurrence of the Officer Commanding the Division or by the Governor-General in Council for use as a public office or for any other purpose.

Condition XIV.-Every notice to the Lesses issued under Condition VIII, Condition IX short offered to be stated in notice to or Condition X, shall state the amount of monthly rent which the proposed tenant offers to pay for the hone

Condition XF.—(I) If the bouse is unoccupied any notice issued under Condition VIII or Condition X may require the Lesses to give possession of the same to the proposed tenant within four days from Time to be allowed for giving pomention of hours. the service of the notice

(3) If the house is occupied no such notice as aforesaid shall require its vacation in less than thirty days from the service of the notice.

Condition XVI.—(I) Subject to the terms of any agreement in writing between the Lessee and a military officer or a civil officer, and to the terms of tensues applicable to military and civil officers.

(a) without police, in the case of the departure of the officer from the contoument on deviding that the house has become unit for occupation, or

(b) by one month's notice in writing to the League in way other case

(2) A notice under clause: (1) of this condition must be signed by or on behalf of the officer concerned; and the Cantonment Magistrate shall, if such officer so desires, cause it to be served on the Lessee free of charge.

(3) When a military officer or a civil officer has, in pursuance of clause (1) of this Condition, given by his occupation of the house without notice, and has occupied the house during a portion only of the calendar month in which his occupation ceased, he shall be liable to pay as rent for that portion a sum bearing the same proportion to the monthly rent as the said portion bears to the whole mouth :

Provided, that the sum shall not, in any case, be less than one-fourth of the monthly rent. Condition XFII.—If any tenant of the house, being a military officer or a fivil officer, sub-less the same without the consent of the Lessee, the sub-lesse shall be voidable at the option of the Lessee.

Gondition XVIII. (1) If the Lessee considers that any rent offered by a proposed tenant and stated in a notice in accordance with Condition XIV is insufficient, he may, within a period of filteen days from the service of such notice, require that the matter be referred by the Commanding Oileer of the Cantonment to a committee of arbitration.

(2) If the Leasee does not make such a requisition within the said period, he-shall be

deemed to have accepted the rent so offered.

(3) After such acceptance or the decision of a committee of arbitration, the amount of such real shall not be called in question by either party except in the circumstances mentioned in clause (a) of Condition XXI.

Condition XIX - (I) If the Lessee fails to execute any repairs to the house which any Right of keeses to require refusered to a consider nocessary, the cantonment authority may, at the require of them are necessary, by notice in writing, require the Lessec to execute such repairs or any of them as it may consider necessary, within a period, not less than fifteen days, to be specified in the notice.

(2) If the Etissee objects to comply with any notice issued under clause (I) of this Condition, he may, within different days from the service of the notice, require that the matter be referred by the Commanding Officer of the Cantonment to a committee of arbitration.

Condition XX.—If any tenant of the house, being a military or civil officer, considere that his lease should be terminable without notice in consequence of the house having become until for occupation.

The power of either Lease or tenant to apply for reference to arbitration.

Condition XXI.—If the Lease and any tenant of the house, being a utilitary or civil officer, disagree—

(a) as to any change in the rent of the house which is proposed in consequence of dilapidations or additions to buildings or for any other similar reason, of

(d) on any matter relating to rent or repairs, other than a matter referred to in clause.

• (a) of this Condition or in Condition XVIII, Condition XIX or Condition XX, either the Lesses or the tenant may apply to the Commanding Officer of the Cantonment to refer the matter to a committee of arbitration.

Condition XXII. Whenever any matter is referred to a committee of arbitration Constitution of coordition of arbitration:
Its desired to be blading on Lesses and his tenant shall be constituted as provided in Chapter XX of the Secunderabed Cantonment Code, 1913, and the Lesses and his tenant shall be bound by the decision of the

Condition XXIII.—If the Lease fails to comply with any notice issued under clause (1) of Condition XIX and has not, within fifteen days from the service of such notice, required that the matter be referred to a committee of arbitration, or

if any committee of arbitration constituted under Chapter XX of the Secunderabad Cantonment Code, 1918, 'decides that repairs are necessary, and the extent to which they are

necessary, and the Leases fails to execute such repairs within a period to be specified in a stotice issued by the cantonment authority in that behalf,

the tenant of the house may himself cause the repairs specified in the notice to be executed at rates not exceeding these paid in the cantonment by the Military Works Department or the Public Works Department, and may deduct the cost thereof from the rent, or a ment or the Public Works Department, and may deduct the cost thereof from the rent, or otherwise recover it from the Lessoe.

Condition XXIV.—(f) It the Leases does not commence or complete as required by Procedure on breach of Condition I are Condition II. Condition I the finithings to be erected on the land, Condition II. The control of the cantonment authority may by notice in writing require him to remove after any buildings or materials which he may have created of collected thereon; and, if he fails to comply with such notice the cantonment authority may after giving him six hours' further notice in writing, and may also cancel the cause such removal to be effected and recover the cost from him, and may also cancel the

(2) If the Lessee creets any building or makes any alteration or addition otherwise than as allowed by or under Condition II the cantonment authority may by notice in than as allowed by or under Condition II the cantonment authority may by notice in than as allowed by or under Condition II the cantonment authority may, after giving and writing require him to remove the building or to alter the same to its satisfaction; and if he fails to comply with such notice, the cantonment authority may, after giving him aix hours, further notice in writing, cause such removal or alteration to be effected and

Condition XXV.—(I) So long as the Lesse: shall * duly pay the said ront of rupees and] observe the conditions hereinbefore specified and on his part to be observed, he may, subject to Conditions to the conditions hereinbefore specified and on his part to be observed, he may, subject to Condition XXVII held the land for ever without interruption by the Secretary of State.

(2) If the Lossee shall † [fail to pay the said rent of rappes , for twenty one days after the same shall have become due or shall] the words in brackets to be emitted in the event of the said huildings being destroyed or injured, by earthquake, fire, cyclone or other act of injured, by earthquake, fire, cyclone or other act of injured, by earthquake, fire, cyclone or other act of injured, by earthquake, fire, cyclone or other act of injured, by earthquake, fire, cyclone or other act of injured, and to reinstate the same fit for use as provided in the said Conditions III bereof, and within such period as therein provided, or shall in the said Conditions III bereof, and within such period as therein provided, or shall in the said Conditions hereinhofore specified, other than condition I or Condition II, and on his part to be observed, the Resident at Hyderahad may, after giving one month's notice in writing, resume the land or any portion thereof, and may, on such, resumption, declare all or any part of the right and interest of the Lessee, in the buildings erected on the land to be forfeited.

Condition XXII.— The Letter shall not be entitled to compensation for any loss incurred by reason of anything done in parsuades of Condition XXIV, or Condition XXV, shape (%). Claims to compound tion burnel.

Condition XXIII.—The Resident at Hyderabad may resume the land of any portion thereof at any time after giving one month's notice in thereof at any time after giving one month's notice in writing, and on payment of compensation for such buildings.

In the bean creeted under proper authority. If there shall be any dispute as to the amount of such compensation, the same shall be referred to a committee of arbitration, which shall be constituted as provided in Chapter XX of the Secunderabad Cantonment Code, 1913, and the Lessee shall be bound by the decision of the committee of arbitration.

FORM C.

(See section 264.)

(Form of Lease for a term of years.)

This Indentuce, made the day of 191, Between the Security for India in Council, thereins for called the Secretary of State which expression where the context so admits shall include his successors in office and assigns) of the one part and , (hereinafter called the Lessee which expression where the context so admits shall include his being, executors, administrators and assigns) of the other part.

Worksens the Lesses has applied for permission to occupy, for the purpose of a building site, the land belonging to the Government in the Cantonment which is delireated in the site plan herere appended, and has submitted with his application the particulars and documents required by sections 281 and 282 of the Secunderabad Cantonment Code, 1913, and documents required by sections 281 and 282 of the Secunderabad Cantonment Code, 1913, and documents the said application has received the sauction of the Officer Commanding the Division.

Now reis Indexture Witnesseen as follows :-

* Fall in as the case may be, "free of rest but," or "subject to the payment of the yearly rest of supeer and."

† Strike out words in brackets if an

TWhen the parties execute on sope-rate dates, out the words "the day and the year first above wristen" and add the dates below the signature. The last of such dates will be entered in the commissionent as the day of making the indenture.

1. The Secretary of State doth herely grant unto the Lesses liberty at difference to enter into and upon the piece or parent of Land delineated in the site-plan here to appended, and here forth to occupy the same as the control of the ready read grant of the erection of buildings, and hereeforth to hold and enjoy the same and any buildings ecceted by him thereon, subject to the conditions set forth in the annexure hereto.

2. The Lessee doth hereby, covenant with the Secretary of State, that the Lessee, shall not will duly [† pay the said rent in the manner provided in the annexure hereto and] observe all and every the conditions hereinbefore referred to and on his to be observed.

In witness I whereof the said parties hereto have here-unto set their hands and scale the day and year first above written.

Signed, sealed and delivered by the officer Commanding the acting in the premises for and on behalf of the Secretary of State for India in Council, in the presence of

Signed, scaled and delivered by the above-named

, in the presence of

Division

Note. - Copies of this form, with the annexure, will be obtainable gratts on application to the Cantanment Magistrate.

ANNEXURE TO FORM C.

CONDITIONS.

Condition 1.—The buildings to be exceed on the land shall be commenced within six months from the execution of the lease and shall be completed within the period specified in the note endorsed on such plan, or within such further period (if any) as the suthority which ametioned the application under Chapter XXI of the Secundershad Cantonment Code, 1913, may by order in writing allow.

Condition II .- (1) The said buildings shall be erected in accordance with the particulars Exection of buildings.

Rection of buildings.

and documents accompanying the same and the site-plan appended hereto or, where a proposed building, alteration or addition is not in accordance therewith then in accordance with such further or other particulars as may be permitted in writing by the authority which same tioned the application under Chapter XXI of the said Code.

(2) Any such permission may be made subject to any conditions which may be agreed upon between such authority and the Losseo.

Condition of II .- The land shall not be used for any purposes other than those specified in Use of land and maintenance of the Secunderabad Cantonment Code, 1913, nor shall the buildings erected on the land be permitted to full into such

a state as absolutely to prevent their being used for the purposes so specified:

Provided, always, that if the said buildings or any part thereof shall (at any time be destroyed by carthquake, fire, cyclone or other act of God, or shall be so injured thereby as to render them unfit for the purposes above specified, then and in such case, the Lessee shall within six calendar months from such destruction or injury as aforesaid commence to rebuild the same and shall reinstate the same fit for the purposes aforesaid within such period not exceeding two years, after the same shall have been so destroyed or injured as aforesaid as to the Cantoment Authority of shalt seem fit Provided nevertheless, that in no such case shall the bessee be required to reinstate the same fit for use as aforesaid within a shorter period than twelve calendar months from date of such destruction or injury.

ConditionIII.** A.**. The Lessee shall per the said yearly rent of rupes.

Condition III-A.* The Lessee shall pay the said yearly rent of rupees by equal monthly instalments of rupees , and the by equal monthly instalments of rupees , and the This clause to be struck out if the , said instalments shall be paid on the fifteenth day of every month during the continuance of this demise for the month

immediately preceding. Condition IV.—(1) Whenever the Lessee intends to transfer, by sale, gift, mortgage or exchange, his interest in the land, or in the buildings of exected on the land, or in any part of the land or buildings, he or the intended transferre shall give the Canton ment Magistrate one month's notice in writing before the transfer is completed.

(2) The Officer Commanding the Division shall have power, within the said period of one month, and with the concurrence of the Resident at Hyderabad, to impose, by order in writing, his veto on any such transfer; and, if in any case the Cantoment Authority considers without the said power of veto should be exercised, it shall report the case to such Officer without delay. Officer without delay.

(3) If notice of any such transfer is not given as aforesaid, or if any such transfer is made after the same has been vetoed, the transfer shall be void.

Condition F. Every person on whom the Lessee's interest in the land, or in the buildings erected on the land, may devolve, by transfer, by ings erected on the land, may devolve, by transfer, by succession or by operation of law, shall send to the Canton-ment Authority, within one mouth from the date of such devolution, a report in writing of the fact, together with such particulars as may be required by that authority for entry in the register maintained under section 271 at 272, as the case may be, of the Seconderabad Cantonment Code, 1918.

Condition VI.—(I) If the Lessen does not commence or complete, as required by Condition I, the buildings to be streeted on the land, the recodure on breach of Condition I.

Condition II. Condition I the buildings to be streeted on the land, the condition II. Condition II to remove all or any buildings in materials which he may have erected or collected thereon; and, if he fulls to comply with such notice, the Cantonment Authority may, after giving him six hones' further notice in writing, cause such removal to be effected and recover the cost from him, and may also cancel the lense.

(2) If the Lessee erects any building or makes any alteration or addition otherwise than as allowed by or under Condition II, the Cantonment Authority may, by notice in waiting, seallowed him to remove the building or to after the same to its satisfaction; and, if he falls to require him to remove the building or to after the same to its satisfaction; and, if he falls to comply with such notice, the Cantonment Authority may, after giving him six hours' comply with such notice, the Cantonment Authority may, after giving him six hours' further notice in writing, cause such removal or alteration to be effected and recover the cost from him.

Porfetture for breach of any other eondition.

The words in brackets to be omitted if the land is runt free.

Condition III.—(I) So long as the Lesser shall duly fine the said rent of rupes and share the conditions hereinbefore specified, and on his part to be observed, he may, subject to Condition IX, hold the land for the term of — years the land is rent free.

Condition IX, hold the land for the term of — years computed from the day of—without interruption by the Scorptary of State Secretary of State.

To be struck out in cases where it is intended that the lease shall not be zemewable.

(2) At the expiry of the said term of vears the Lessee may be granted a renewal of the lesse for a further period of vears, such renewal and the period thereof to be at the discretion of the Officer and the period thereof to be at the discretion of the Officer (Commanding the Division. for twenty-one days

(3) If the Lessee shall [fail to pay the said rent of rupees

(3) If the Lessee shall [fail to pay the said rent of rupees for twenty-one days after the same shall become due, or shall it in the event of the said buildings being destroyed or injured by earthquake, fire, cyclone or other act of God, fail to commence re-building same as provided in Condition III thereof within six months of such destruction or injury and to reinstate the same fit for use as provided in the said Condition III hereof, and within such period as therein provided, or shall break any of the conditions hereinbefore specified, other than Condition I or Condition II, and on his part to be observed, the Resident at Hyderabad may, after giving one month's notice in writing, resums the land or any portion thereof and may, on such resumption, declare all a any part of the right and interest of Lessee in the buildings erected on the land to be forfeited.

Condition VIII.—The Lessee shall not be entitled to compensation for any less incurred by reason of anything done in parsuance of Condition VII, clause (2).

Condition IX. - (1) At the expiration of the said term of ---- years the Lacsee shall deliver up to the Resident at Hyderabad and without receiving any compensation whatever the land comprised in this domine together with all erections and buildings which may be then stand-Land and building to be delivered up at end of term without compensation and right of Government to resume land prior to expiration of term on payment of compensation.

To be struck out when sub-clause (2) is to be used.

(2) If at the expiry of the said term of rears the Officer Commanding the Division in the exercise of his discretion declines to renew the lease, that the lease shall be shednely terminable at the each of the fired period and the buildings are to lapse to Gorenness.

Compensation for such erections and buildings only as shall have been created under proper authority.

If there shall be any dispute as to the amount of such complemention, the same shall be selected to a Committee of Athitration as hereinafter provided.

Provided always that the Resident at Hydershad may, at any time prior to the expira-tion of the said term, resume, possession of the said land or any portion thereof upon giving one calendar month's previous notice in writing in that behalf to the Lessee under the hand of some duly anthorised officer and upon priving to the Lesses compensation for such creations and buildings standing on the land of which possession shall be resulted as aforesaid as shall have been exceeded during the said term under proper authority. If these shall be any disjusters to the amount of such compensation the same shall be referred to a committee of subtration which shall be constituted as provided in Chapter XX of the Secundershad Cantonment Code of 1913, and the Losses shall be bound by the decision of such Committee. In calculating the amount of such compensation there shall be taken into account the following—

- (i) the original cost of materials and construction;
- (ii) the condition of the buildings and their value at the date of resumption;
- (iii) the rent or profit (if any) or the equivalent which the Lassee may receive or enjoy from the man of the buildings or on account thereof;
- *(iv) the period within which the buildings would become the property of Government without payment of any compensation to the Lessee. * To be struck out if Conditions VII (3) and IX (3), first and seeded clauses, are retained.

The Lessee shall not at any time during the said term remove the buildings erected on the said land or any part thereof nor make any structural alteration thereof or addition thereto without the like written permission as is mentioned in Condition II hereof.

" Note. - Condition VII (1) and (3) and Condition IX (1) and (2), Ent and second clanses.

These conditions provide for alternative leases. In the first, the buildings on the site become the property of the Local Government on the termination of the period for which the lease is granted. In the second alternative, the lease is renewable at the discretion of the Officer Commanding the Division, but when renewal is refused the lesses must deliver up the site and all buildings and exections thereon receiving comlesses must deliver up the site and all buildings and erections thereon receiving compensation for such buildings and erections as have been made under proper authority. In the first alternative, Condition VII (2) and IX (2), first and except clauses, will be struck out; fin the second alternative, they will be retained and IX (1) struck out. In the latter form, renewals can be granted by the Officer Commanding the Division from time to time as often as may be considered desirable since the second and subsequent cases may, if the Officer Commanding the Division thinks fit, contain the Conditions VII (2) and IX (2), first and second clauses."

FORM D.*

(Form of leave to be executed in all cases other than those for which Forms A, B and ? are prescribed.)

This Indexture, made the day of Between the Secretary of State which expension where the context so admits shall include his successors in office and assigns) of the one part

(hereinafter called the Lessee which expression where the context so admits shall include his heirs; executors, administrators, representatives and assigns) of the other part.

WHEREAS the Lessee has applied for permission to occupy for the purposes of a building site the land belonging to the Government in the Cantonment which is delinested in the site plan hereto appended and has submitted with his application the particulars and documents required by sections 261 and 262 of the Secunderabad Cantonment Code, 1913, and whereas the said application has received the sanction of the Officer Commanding the Division

Now this Indenture witnesseth as follows :-

1. The Secretary of State doth hereby grant unto the Lessee liberty and license to enter into and upon the piece or parcel of land delineated in the into and upon the piece or parcel of land delineated in the site-plan hereto appended and to occupy the same as a site for the erection of buildings and hemseforth to held and enjoy the same and any buildings erected by him thereon.

Opples of this form with the armexure will be obtainable gratic on application to the Cantenment

2. The Lessee doth hereby envenant with the Secretary of State that the Lessee shall and will duly [pay the said reut in the manner provided in the parties execute on apparate dates out and every the conditions hereinbefore referred and the dated loow the algorithms. The last of dates will be entered in the commencement as they of making the indeature. when the parties expends on asparate dates out? The words "the date and year first above written" and add the dated be on the signatures. The last of much dates will be entered in the communication as the day of making the industries. Birthe cult words in brackets if no rest payable

above written.

Signed and sealed and delivered by 3- Division soting the Officer Commanding the in the premises for and on behalf of the Secretary of State for India in Compil in the

Signed, scaled and delivered by the above-named

in the presence of

ANNEXURE TO FORM D.

CONDITIONS.

In these conditions-

(a) "house" means the house erected on the land occupied by the Lessee and includes the land and building appartment to the house; and if any question exists whether any land or building is appartment to the house, it shall be decided by the Cantonment Magistrato, whose decision thereon shall subject to revision by the First Assistant Resident be final;

(1) the or pression." repairs " to a house shall be deemed to include such repairs as are usually made in the neighbourhood to buildings of the same class as that to which the house belongs, but does not include additions, improvements or alterations, except in so far as they are necessary to carry out such repairs as aforesaid or have been made with the Lessac's consent;

(c) "military officer" means a commissioned or warrant officer of the army on military duty in the cantonment, and includes a chaplain, a. Cantonment Magistrate and any person in Army departmental employment whom the Officer Commanding the Division may, for the purposes of these Conditions, place on the same footing as a military officer; and

[d] "civil officer" means a gazetted civil officer of the Government, and includes any other person in the service of the Government, not being a military officer, whom the Resident at Hyderabad may, for the purposes of these Conditions, place on

the Resident at Hyderabad may, for the purposes of these Conditions, place on the same footing as a civil officer.

Condition 1.—The buildings to be erected on the land shall be commenced within six months from the execution of the lease and shall be completed within the period specified in the note endormed buildings.

Consumption of the lease and shall be completed within the period specified in the note endormed buildings.

Consumption of the lease and shall be completed within the period specified in the note endormed buildings.

Color 1012 may be order in writing allows. ment Code, 1913, may, by order in writing, allow.

Condition II.—(I) The said buildings shall be erected in accordance with the particulars

specified in the Lesree's application under section 261

Erection Si buildings and 202 of the said Cantonment Code and the plans and documents accompanying the same and the site-plan appended hereto or, where a proposed building, alteration or addition is not in accordance therewith them in accordance with such further or other particulars as may be permitted in writing by the authority which sanctioned the application under Chapter XXI of the said Code.

(2) Any such permission may be given subject to any conditions which may be agreed upon between such authority and the Lessee.

Condition III.—The land shall not be used for any purposes other than those specified in the Lessec's application under section 201, clause (d), of the become that the become that the boundard of buildings erected on the land be permitted to fall into such a state as absolutely to prevent their being used for the purposes so specified:

Provided, always, that if the said buildings or any part thereof shall at any time he destroyed by earthquake, fire, cyclone or other net of field or shall be so injured thereby as to render them unfit for the purposest above specified them and in such case the Lessee shall within six calendar months from such destruction or injury as aforciaid rommence to rebuild the same and shall reinstate the same fit for use for the purposes inforesaid within such period, not exceeding two years after the same shall have been so destroyed or injured, as aforesaid, as not exceeding two years after the same shall seem fit. Provided nevertheless that in no such oase shall the Lessee be required to reinstate the same fit for users aforesaid within a shorter period than twelve calendar months from the date of such destruction or injury.

*This clause to be struck out, if the month during the continuance of this denise for the month during the continuance of the immediately preceding.

Condition IV.—I) Whenever the Lersee intends to transfer, by sale, gift, moriging or exchange, his interest in the land, or in buildings erected on the land, or in any part of the land or buildings, he or the intended transferre shall give the Cautonment Magistente one month's notice in writing before the transfer is completed.

(2) The Officer Commanding the Division shall have power, within the said period of one month, and with the concurrence of the Resident at Hyderabad to impose, by order in writing his veto on any such transfer; and, if in any case the Cantonment Authority considers it desirable that the said power of weto should be exercised, it shall report the case to such Officer Commanding the Division without delay.

(3) If notice of any such transfer is not given as aforesaid, or if any such transfer is made after the same has been voteed, the transfer shall be void.

Condition V.—Every person on whom the Lessec's interest in the land, or in the buildings excited on the land may devolve, by transfer, by succession or by operation of law, shall send to the Canton-terest.

The condition of Lesse's insuccession or by operation of law, shall send to the Canton-terest.

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The condition of Lesse's insuccession or by operation of law, shall send to the Canton-terest.

Condition VI.—The Secretary of State resource a right, subject to the conditions berein-Right of the Government to appro-prints the house for recapition by any occupation by any military officer or civil officer.

Condition FIL—If the Lessee lets the house to any person other than a military officer.

Agreement to recate to be executed when least is to any person other than a military officer.

(a) such person has executed a stamped agreement undertaking to vacate the house whenever required so to do in pursuance of a notice is ned under Condition Y VIII or Condition X without claiming any compensation, and has registered such agreement under the law for the time being in force relating to the registration of documents, and registration of documents, and

(b) the Lessee has forwarded an attested copy of such agreement to the Cantonment Authority.

Appropriation of house for military officer, it may, if the house is not already occupied by a military officer, and if it has not been set apart in by a military officer. by a military officer, and if it has not been set apart in accordance with Condition X for occupation by civil officers by notice in writing-

(a) require the Lessee to let the house to the military officer named in the notice,

(6) require the existing tenant (if any) to vacate the same.

Appropriation of house for a military afficer where it is occupied by another military officer.

Condition IX.—If the house is occupied by a departmental military officer and the Cantonment Authority considers that the right reserved by Condition VI should be exercised in behalf of a regimental officer, or nice versa, it may, by notice in writing, require the officer in occupation to vacate the house; and may, if

necessary, by further notice in writing, require the Lessee to accept the change of tenancy *Gondition X.—(1) The Cantonment Authority may, at any time, with the previous sanction of house for sivil the Officer Commanding the Division, given with the concurrence of the Resident at Hyderabad, set apart the house for occupation by civil office

(3) If the house has been so set spart, the arrangement shall not be revoked without the concurrence of the Resident at Hyderabad.

(8) If, while the house is so set apart, the Cantonment Authority at any time considers that the right reserved by Condition VI should be exercised in behalf of any civil officer, it may, if the house is not already occupied by a civil officer, by notice in writing,—

(a) require the Lessee to let the house to the civil officer named in the notice,

(b) require the existing tenant (if any) to vacate the same.

Condition XI.—(1) Whenever a military officer or a civil officer considers that a netice should be issued in his heliast under Condition VIII, Condition IX or Condition X, he may request (in the case of a regimental officer) the Commanding Officer of his regiment, or (in the case of a departmental military office) the local head of his Department, or (in the case of a civil officer) the Cantenment Magistrate, to make an application to that effect to the Cantenment Authority.

effect to the Cantonment Authority.

(2) On receipt of any such application the Cantonment Anthority shall inquire into the case, and it shall not issue the notice unless it is satisfied—

" (a) that the officer ought to reside in the Cant onment, and

- (d) that the circumstances are such as to require its interpention, and
- (c) that the rent offered by the officer for the house is reasonable, and
- (d) if the house is vacant, that it is suitable for the residence of the officer | and
- (e) if the house is occupied, that it is suitable for the residence of the officer, and that there is no wasant house in the Cantonment which is suitable for his residence.

Explanation —In considering whether a house is suitable for the residence of an officer, regard shall be had to (i) the locality in which his duties chiefly lie, and (ii) his Bak

Condition XII.-(I) The house shall not be occupied for the purposes of a hospital, bank, Sanction to be obtained holors house is each jud as a hospital, bank, hotel, shop or school, or by a railway administration with-bop or school, or by a railway administration. The Division, given with the concurrence of the Hesistration.

(2) Before application is made for such sanction, the Commanding Officer of the Canton-ment shall certify whether or not is his opinion the number of houses in the Cantonment, as compared with the strength of the existing or probable garrison, conders it likely that such occupation as aforesaid awould-

(a) cause any difficulty in obtaining accommodation in the Cantoument, or in the part of the Cantonment in which the house in situate, for military officers or a similar officers or civil officers, or

(b) becassifue the acquisition of land at some future time for the extension of the House not to be appropriated for military or civil afficient to be appropriated for military or civil afficer if it is escapied, with sanction, as a hospital, bank, hotel, aloop or school, or by a railway administration, or is otherwise appropriated by the Government.

(a) is occupied, with the sanction required by Condition XII, as a hospital, bank, hotel, shop or school, and has been so occupied continuously during the three years immediately preceding the time when the occasion for issuing the notice arises, or
(b) if occupied with the sanction aforesaid by a railway administration, or,
(c) is appropriated by the Resident at Hyderabad with the concurrence of the Officer Commanding the Division or by the Governor-General in Committee as a making office or for any other purpose.

public office or for any other purpose.

Condition XIII.—Every notice to the Lessee issued under Condition VIII, Condition IX or Conflition X shall state the amount of monthly next which the proposed tenant offers to pay for the house.

Condition XI'.—(I) If the house is unoccupied, any notice issued under Condition VIII or Condition X may require the Leases to give possession of house. from the service of the notice.

(2) If the house is occupied, no such notice as aforesaid shall require its vacation in less than thirty days from service of the notice.

Condition XVI.—(1) Subject to the terms of any agreement in writing between the Lessee and a military officer or a civil officer, and to the Lessee and a military officer or a civil officer, and to the terms of this Condition, every lease of the house to such an officer shall be deemed to be a lease from month to month, terminable—

(a) without notice, in the case of the departure of the officer from the cantoninent on duty or under madical certificate, or in the case of a committee of arbitration deciding that the house has become unfit for recorpation, or

(a) by one month's notice in writing to the Lessee in any other case. (2) A notice under clause (1) of this Condition must be signed by or on behalf of the officer concerned; and the Cantonment Magistrate shall, if the officer so desires, cause it to be served on the Leesee free of charge. (3) When a military officer or a civil officer has, in pursuance of chance (1) of this condition, given up his occupation of the house without notice, and has occupied the house during a portion only of the calendar month in which his occupation ceased, he shall be liable to pay us not for that portion a sum bearing the same proportion to the monthly rent as the said portion bears to the whole month :

· Provided that the sum shall not, in any case be less than one-fourth of the monthly rent. Condition XVII. -If any tenant of the house, being a military officer or a civil officer, Sub-Rase voidable at option of the Lessee, the sub-lesse shall be voidable at the option of the Lessee.

Right of Leave to require reference to subjustion of question of rent.

Right of Leave to require reference to subjustion on question of rent.

Condition XIII. - (I) If the Leave considers that any rent offered by a proposed tensut and stated in a notice in accordance with Condition XIV is insufficient, he may within a period of different days, from the service of such region.

referred by the Commanding Officer of the Cantonment to a Committee of Arbitration.

(2) If the Lessee does not make such a requisition within the said period, he shall be desired to have accepted the rent so offered.

(3) After such acceptance or the decision of a Committee of Arbitration, the amount of such rent shall not be called in question by either party except in the circumstances mentioned in clause (a) of Condition XXI.

Condition XIX.—(1) If the Lessee fails to excente any repairs to the house which any tenant being a military or a civil officer, may consider necessary, the tantonment Authority may ut the request of them are necessary, by notice in writing, require the Lessee to exceute such repairs, or such of them as it may consider necessary, within a period, not less than fifteen days, to be specified

in the notice (2) If the Lossee objects to comply with any notice issued under clause (1) of this condition, may within lifteen days from the service of the notice, require that the matter be referred

by the Commanding Officer of the Cantonment to a Committee of Arbitration. Constition XX.—If any tenant of the house, being a military or civil officer, considers that his least should be terminable without notice in that his least should be terminable without notice in that his least should be terminable without notice in that his least should be terminable without notice in that his least should be terminable without research that his least should be terminable without research that his least should be terminable without notice in the consequence of the house has become and the terminable without notice in the consequence of the house has been should be terminable without notice in the consequence of the house has been should be terminable without notice in the consequence of the consequence of the consequence of the consequence of the consequence of the consequence of the consequence of the consequence of the consequence of the consequence of the consequence of the cons

Arbitration.

Power of either Lessee or tenant to house, being a military or civil officer, disagree-other questions. Condition XXI .- If the Dessee and any tenant of the

- (a) as so any change in the rept of the house which is proposed in consequence of dilapidations or additions to buildings or for any other similar reason, or
- (b) on any matter relating to tast or repairs, other than a matter referred to in clause (a) of this Condition or in Condition XVIII, Condition XIX or Condition XX,

either the Leages or the tenant may suply to the Commanding Officer of the Cantonment to refer the matter to a Committee of Arbitration.

Condition XXII.—Whenever any matter is referred to a Committee of Arbitration in pursuance of Condition XVIII, Condition XIX, Condition its decision to be binding on Lessee and his tonant. 1918, and the Lessee and his hall Cantonment Code, tenant shall be bound by the decision of the Committee.

Condition XXIII—If the Lessee fails to comply with any notice issued under clause
Right of tenant to execute repairs and deduct cost from rent.

(I) of Condition XIX, and has not, within fifteen days from the service of such notice, required that the matter be referred to a Committee of Arbitration, or, if any Committee of Arbitration constituted under Chapter XX of the Secundershad Cantonneut code, 1918, decides that repairs are necessary, and the Lessee fulls to execute such repairs within a period to be specified in a notice issued by the Cantonneut Anthority in that behalf, the tenant of the house may himself cause the repairs specified in the notice to be executed at rates not exceeding those paid in the cantonneut to the Military Works Department or the Public Works Department, and may deduct the cost thereof from the rent, or otherwise recover it from the Lessee.

Candition XXIV.—11. If the Lessee does not commence or complete an accessived by

Condition XXIV.—(1) If the Lessre does not commence or complete as required by
Procedure on breach of Condition 1
Condition 1 the buildings to be creeted on the land, the
or Condition II.

Contourment Authority may, by notice in writing require
him to remove all or any buildings or materials which be

may have erected or collected thereon; and if he fails to comply with such notice, the Canton-ment Anthority may, after giving him six hours' further notice in writing, cause such removal to be effected and recover the cost from him, and may also cancel the lease.

(2) If the Lessee creets any building or makes any alteration or addition otherwise than as allowed by or under Condition II, the Cantonment Authority may, by notice in than as allowed by or under Condition II, the Cantonment Authority may, by notice in writing, require him to remove the building or to alter the same to its satisfaction; and, if he writing, require him to remove the building or to alter the same to its satisfaction; and, if he writing, require him to remove the Cantonment Authority may, after giving him six hours, fails to comply with such notice, the Cantonment Authority may, after giving him six hours, fails to contice in writing, cause such removal or alteration to be effected and recover the cost further notice in writing, cause such removal or alteration to be effected and recover the cost from him.

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Condition XXV.—(I) So dong as the Lessee shall [duly pay the said rent of rupees and*] observe the conditions bereinbefore specified, and on his part to be observed, belinay, subject to condition.

The words in breakets to be emitted computed from the day of—without interruption by the Secretary of State.

(2) At the expiry of the said term of years the Lessee may be granted a renewal of the lesse for a further period of years, such renewal and the period thereof to be at the discretion of the Officer commandian the Division

(3) If the Lessee shall [fail to pay the rent of Rs. for 21 days after the same shall become due or shall in the event of the said buildings being destroyed or injured by carthquake, fire, cyclone or other act of God, fail to commonce rebuilding the same as provided in Condition III hereof within aix months of such destruction or injury and to represent the same fit for less as recycled in the said Condition III hereof, and within such provided in Condition III hereof within aix months of such destruction or injury and to reinstate the same fit for use as provided in the said Condition III hereof, and within such period therein provided, or shall break any of the conditions hereinbefore specified, other than Condition I or Condition II, and or his part to be observed, the Resident at Hyderabad may, after giving one mouth's notice in writing, resume the land or any portion thereof, and may, of such resumption, declare all or any part of the right and interest of the Lessee in the buildings erected on the land to be forfeited. buildings erected on the land to be forfeited.

Condition XXVI.—The Lessee shall had be entitled to compensation for any loss incurred by reason of any thing done in pursuance of condition XXV, clause (2). Claims to dempensation barred.

Land and helidings to be delivered up at expira-tion of term without compensation and right of Government to recome land prior to expiration of term on payment of compensation.

To be struck out when sub-clause (2) is to be used. ing thereon :

Condition XXVII.—(1) At the expiration of the said term of—years the Lorses shall added and halldings to be delivered up at expiration of term without componentian and right of terms to remove land prior to captration of compensation.

The primary of compensation.

The primary out when subclasse (2) is to be used.

(2) If at the expiry of the said term of years the Officer Commanding the Division in the To be struck out when it is intended that the lease shall be absolutely terminable at the end of the fixed period and the buildings are to lapse to Gorarment.

lease shall be absolutely terminable at the read of the first period and the buildings are to lapse to Govat Hyderubad and without any compensation whatever therefor the land comprised in this demine together with all erections and buildings which may be standing thereon on payment of compensation for such erections and buildings only as shall have been erected under proper authority. authority.

If there shall be any dispute as to the amount of compensation, the same shall be referred Committee of Arbitration as hereinafter provided.

Provided always that the Resident at Hyderabad may, at any time prior to the expiration of the said term, resume passession of the said land or any portion thereof upon giving one calendar month's previous notice in writing in that behalf to the Lessee under the hand of some duly authorised officer and upon paying to the Lessee compensation for such crections and buildings standing on the land of which possession shall be returned as aforesaid crections and buildings standing on the land of which possession shall be returned as aforesaid as shall have been orected during the said term under proper authority. If there shall be and as shall have been orected during the said term under proper authority. If there shall be and dispute as to the amount of such compensation the same shall be referred to a Committee of dispute as to the amount of such compensation the same shall be referred to a Committee. In sent Code of 1913, and the Lessee shall be bound by the decision of such Committee. In calculating the amount of such compensation there shall be taken into account the following—

(i) the original cost of materials and construction;

(ii) the condition of the buildings and their value at the date of resumption;

(iis) the rent or profit (if any) or the equivalent which the Leesee may receive or enjoy from the use of the buildings or on account thereof;

(vo) the period within which the buildings would become the property of Government "To be struck out if conditions XXV (2) and tion to the Lessee. 41

The Lessee shall not at any time during the said term remove the buildings erected on the said land or any part thereof nor make any structural alteration thereof or addition thereto without the like written permission mentionned in Condition II hereof.

" Note .- Conditions XXV (1) and (2), and Conditions XXVII (1) and (2), first and second clauses

These conditions provide for alternative leases. In the first, the buildings on the site become the property of the Local Government on the termination of the period for which the lease is granted. In the second alternative, the lease is renewable at the discretion of the Officer Commanding the Division but when renewal a refused the lease must deliver up the site and all buildings and erections thereon receiving compensation for such buildings and erections have been made under proper authority. In the first alternative, Conditions XXV (3) and XXVI (2), first and second clauses, will be struck out; in the second alternative, they will be retained and XXVII (1) struck out. In the latter form, renewals can be granted by the Officer Commanding the Division from time to time as often as may be considered, desirable, since the second and subsequent leases may, if the Officer Commanding the Division thinks fit, contain the Conditions XXV (2) and XXVII (2), first and second clauses."

FORM E.

Conditions referred to in the second provise to section 92, clause (1).

In these Conditions-

(a) "house" means the house erected on the land occupied by the applicant and includes the land and buildings appartenant to the house; and, if any question arises whether any land or building is appartenant to the bone, it shall be decided by the Contonment Magistrata, whose decision thereon shall be final;

(b) the expression "repairs" to a house shall be deemed to include such repairs as are usually made in the neighbourhood to buildings of the name class as that to which the houre belongs, but does not include additions, improvements or alterations, except in so far as they are necessary to carry out such repairs as alterations, except in so far as they are necessary to ca aforesaid or have been made with the applicant's consent;

(e) "military officer" means a commissioned or warrant officer of the army on military duty in the cantonment, and includes a chaptain, a Cantonment Magistrate and any person in army departmental employment whom the Officer Commanding the Division may, for the purposes of these Conditions, place on the same footing as a military officer; and

(d) "civil officer" means a gazetted civil officer of the Government, and includes any other person in the service of the Government, not being a military officer, whom the Besident at Hyderabad may, for the purposes of these Conditions, place on the same footing as a civil officer.

Condition I.—The buildings to be erected on the land in accordance with the cite-plan appended to the application shall be commenced within six months from the execution of the agreement, and shall be completed within the period specified in the note endorsed on such plan.

Condition II.—(I) Buildings may be erected on the land only in accordance with the site-plan appended to the application or, where a proposed building, alteration or addition is not in accordance with such plan, with the written permission of the authority which sanctioned the application.

(S) Any such permission may be given subject to any conditions which may be agreed upon between such authority and the applicant.

· Condition III.—The land shall not be used for any purpose other than those specified in the applicant's application under section 92 of the Secunderabed Cantonment Code, 1918; nor shall lies of had and maintenance of buildings. the buildings erected on the land be permitted to fall into such a state of rain as absolutely to prevent their being used for the purpose: so specified :

Provided, always, that it shall be obligatory on the applicant to commence rebuilding the same, if destroyed or injured by earthquake, fire, cyclone or other act of God, within aix months of such destruction or injury, and to reinstate the same fit for use for the purposes so apacified as aforesaid within such period, not exceeding two years, after the same shall have been so destroyed or injured as aforesaid, us to the cantonment authority shall seem fit, provided, nevertheless, that in no such case shall the applicant be required to reinstate the name fit for use as aforesaid within a shorter period than twelve months from date of such destruction or injury.

Condition IF. -(1) Whenever the applicant intends to transfer, by sale, Power to veto transfer of applicant't interest in buildings, his interest in the land, or in buildings erected on the land, or in any part of the land or buildings, he or the intended transferce shall give the Cantonment Magistrate one month's notice in writing before the transfer is

completed,

(2) The Cantonment Magistrate shall have power, within the said period of one month, and with the cancurrence of the cantonment authority, to impose, by order in writing, his veto on any such transfer; and, if in any case the cantonment authority considers it destrable veto any such transfer; and, if in any case the cantonment authority considers it destrable veto that the add power of veto should be exercised, it shall report the case to the Resident at

Hyderabad without delay. (2) If notice of any such transfer is not given as aforesaid, or if any such transfer is made after the same has been vetout, the transfer shall be woul.

Condition F .- Every person on whom the applicant's interest in the land, or in the Report of devolution of applicant's interest.

Bend to the cantonment authority, within one mouth from the date of such devolution, a report in writing of the fact, together with such particulars as may be required by the cantonment authority in the register maintained under section 273 of the Secundorabad Contonment Code, 1948.

bad Captonment Code, 1913.

Condition FI.—The Government reserves a right, subject to the conditions hereins/ter contained, to appropriate the house at any time contained, to appropriate the house at any time for occupation by any address of civil officer. Right of the flowermount to approximate the for compution by any mulitary or civil officer. officer.

Condition UII. - If the applicant lets the house to any person other than a military officer or (if the house has been set apart in accordance with Cundition X for occupation by civil officers) a civil officer, possession of the house shall not be

Agreement to variate to be executed when house to list to any person other than a military or civil

- given until-(a) such person has executed a stamped agreement undertaking to vacate the house whenever required so to do in pursuance of a notice assued under Condition VIII or Condition X without claiming any compen-ation, and has registered such agreement under the law for the time being in force relating to the registration of documents, and
- (b) the applicant has forwarded an attested copy of such agreement to the cantonment authority.

Condition VIII. - Whenever the cantonment authority considers that the right mass Appropriation of home for infiltry officer have in not shreafy accupied by a military officer. It may, if the house is not shreafy accupied by a military officer, it may, if the house is not have a first to the following by a military officer, and if it has not been set apart in accordance with Condition X.

for occupation by civil officers, by notice is writing-

- (a) require the applicant to let tue house to the military officer named in the notice,
- (b) require the existing tenant (if any) to rucate the same.

Condition IX - If the house is occupied by a departmental military officer and the can Appropriation of house for a unifiery connect authority considers that the right reserved by conficer where it is compact by another conficer or nice person it may be noticed in behalf of a regimental unifiery officer. the officer in occupation to vacate the house;

and may, if necessary, by further notice in writing, require the applicant to accept the change of tenancy.

Condition X_{i} -(1) The cantonment authority may, at any time, with the previous canction of the Officer Commanding the Division, given with the concurrence of the Resident at Hyderabad, set apart the house for occupation by civil officers.

(2) If the house has been so set apart, the arrangement shall not be revoked without the

(2) If the house his been so set apart, one arrangement shall not be revoked without one concurrence of the Resident at Hyderabad

(3) If, while the house is so set, apart, the cantonment authority at any time considers that the right reserved by Condition VI should be exercised in behalf of any civil officer, it may, if the house is not already occupied by a civil officer, by notice in writing—

(a) require the applicant to let the house to the civil officer named in the notice, and it require the existing tenant (if any) to vacate the same Condition XI.—(I) Whenever a military officer or a civil officer considers that a notice should be issued in his behalf under Condition VIII. Condition IX, or Condition X, he may request (in the case of a regimental officer) the Commanding Officer of his regiment, or (in the case of a departmental military officer) the local head of his

Department, or (in the case of a civil officer) the Cantonment Magistrate, to make an application to that effect to the cantonment anthority.

(2) On receipt of any such application the cantonment authority shall inquire into the case, and it shall not issue the notice unless it is satisfied.

(a) that the officer ought to reside in the cantonment, and

(b) that the circumstances are such as to require its intervention, and

(a) that the rent offered by the officer for the house is reasonable, and

"(d) if the house is vacant, that it is suitable for the residence of the officer, and

(c) if the house is occupied, that it is suitable for the residence of the officer, and that there is no vacant house in the cantonment which is suitable for his residence.

Explanation.—In considering whether a house is suitable for the residence of an officer, regard shall be had to (i) the locality in which his duties chiefly lip, and (ii) his rank.

Condition XII -(1) The house shall not be occupied for the purposes of a bank, hotel, Esnetion to be shinted before house to escaped as a back, but, shop or school, or by a railway company, without the previous sanction in writing of the Commanding Officer of the Cantonment given with the concurrence of the Resident at Hyderabad.

(2) Defore application is made for such sanction, the Commanding Officer of the Cantonment shall certify whether or not in his opinion the number of houses in the cantonment, as compared with the strength of the existing or probable garrison, renders it likely that such occupation as aforesaid would—

(a) cause any difficulty in obtaining accommodation in the cantonment, or in the part of the cautonment in whichithe house is situate, for military officers or civil officers, or

(b) necessitate the acquisition of land at some future time for the extension of the cantonment.

Hottie not to be appropriated for military or civil officer if it is occupied, with an effort, shop or school, or by a military company, or is otherwise appropriated by the Government.

Condition XIII. - No notice shall be issued under Condition XIII or Condition X if the house-

(a) is occupied, with the sanction required by Condition XII, as a bank, hotel, shop or school, and has been so occupied continuously during the three years immediately preceding the time when the occasion for issuing the notice arises, or

(b) is occupied with the sanction aforesaid by a milway company, or

(e) is appropriated by the Resident at Hyderabad or by the Governot-General in Council for use as a public office or for any other purpose.

Condition XIF.—Every notice to the applicant assed under Condition VIII, Condition Rest affored to be stated in notice to IX or Condition X shall state the amount of monthly rent which the proposed tenant offers to pay for the house,

Condition XF.—(I) If the house is underspied, any notice issued under Condition VIII or Condition X may require the applicant to give possession of the same to the proposed tenant within four days from the service of the notice. Time to be allowed for giving posses-

(2) If the house is occupied, no such notice as aforesaid shall require its vacation in less than thirty days from the service of the notice.

Condition XFI - (1) Subject to the terms of any agreement in writing between the applicant and a military officer or a civil offer, and to the terms of this Condition, every lease of the house to such an officer shall be deemed to be a lease from month Terms of tenoney applicable to militar, and civil officers. to month, terminable-

(a) without notice, in the case of the departure of the officer from the captonment on daty or under medical certificate, or in the case of a committee of arbitration deciding that the house has become unfit for occupation, or

(8) by one month's notice in writing to the applicant in any other case.

(2) A notice under clause (1) of this Condition must be signed by or on behalf of the officer concerned; and the Cantonment Magistrate shall, if the officer so desires, cause it to be served on the applicant free of charge.

(3) When a military officer or a civil officer has, in pursuance of clause (1) of this Condition, given up his occupation of the house without notice, and has compiled the house during a portion only of the calendar month in which his occupation ceased, he shall be

liable to pay as rent for that portion a sum bearing the same proportion to the monthly rent as the said portion bears to the whole month:

Provided that the sum shall not, in any case, be less than one-fourth of the monthly

Condition XVII.—If any tenant of the house, being a military officer or a civil officer of sub-lette the same without the consent of the applicant, sub-lense voidable at option of applithe sub-lense shall be voidable at the option of the

Condition XVIII.—(I) If the applicant considers that any rent offered by a proposed tenant and stated in a notice in accordance with Condition to applicant to require reference to arbitration on question of rept.

The matter be referred by the Commanding Officer of the Cantonment to a committee of arbitration.

(2) If the applicant does not make such a requisition within the said period, he shall be deemed to have accepted the rent so offered.

(3) After such acceptance or the decision of a committee of arbitration, the amounts of such rent shall not be called in question by either party except in the cironmstances mentioned in clause (a) of Condition XXI.

Condition XIX.—(1) If the applicant fails to execute any repairs to the house which any tenant, being a military or civil officer, may consider necessary, the cantoument authority may, at the request of them are necessary, by notice in writing, require the applicant to execute such repairs, or such of them as it may consider necessary, within a period, not less than fifteen days to be specified in the notice. days, to be specified in the notice.

(2) If the applicant objects to comply with any notice issued under clause (1) of this Condition, he may, within fifteen days from the service of the notice, require that the matter he referred by the Commanding Officer of the Cantonment to a committee of arbitration.

Condition XX.—If any tenant of the house, being a military or civil officer, considers to arbitration on question whother consequence of the house having become unfit for occupation, be may apply to the Commanding Officer of the Canto imput to refer the matter to a committee of arbitration.

Condition XX.—If any tenant of the house, being a military or civil officer, considers that his lease should be terminable without notice in the convergence of the house having become unfit for occupation.

Foregret of either applicant or tenant Condition XXI.—If the applicant and any tenant to apply for reference to arbitration on of the house, being a military or civil officer, disagree—ather questions.

(a) as to any change in the rent of the house which is proposed in consequence of dilapidations or additions to buildings or for any other similar reason or

on 20 y matter relating to rent or repairs, other than a matter referred to in clause (a) of this Condition or in Condition XVIII, Condition XIX or Condition XX.

either the applicant or the tenant may apply to the Commanding Officer of the Cantonment to refer the matter to a committee of arbitration.

Condition XXII—Whenever any matter is referred to a committee of arbitration in Condition XXII. Condition XIX, Condition 11st decision to be heading on applicant and his toward.

The Condition XXII, the committee shall be constituted as provided in Chapter XX of the Secunder-constituted as provided in Chapter XX of t decision of the committee.

Condition XXIII.—If the applicant fails to nomply with any notice issued under the Bight of tenant to execute repairs and days from the service of such notice, required that the matter be referred to a committee of arbitration, or,

if any committee of arbitration constituted under Chapter XX of the Secunderabad Cantonment Code, 1918, decides that repairs are necessary, and the applicant fails to execute such repairs within a period to be specified in a notice issued by the Cantonment authority in that behalf,

the tenant of the house may himself cause the repairs specified in the notice to be executed at rates not exceeding those paid in the contonment by the Military Works Department or the Public Works Department, and may deduct the cost thereof from the rent, or otherwise recover it from the applicant.

Condition XXIV.—(I) If the applicant does not commence or complete, as required by Condition I the buildings to be erected on the land, the continuent authority may, by notice in writing, required than II. Procedure on breach of Condition I or ondition II.

may have erected or collected thereon; and, if he fails to comply with such notice, the canton-ment authority may, after giving him six hours' further notice in writing, cause such aremoval to be effected and recover the cost from him, and may also cancel the agreement.

(2) If the applicant erects any building or makes any alteration or addition otherwise than as allowed by or under Condition II, the cantonment authority may, by notice in writing, require him to remove the building or to alter the same to its satisfaction; and, if he fails to comply with such notice, the cantonment authority may, after giving him six hours' further notice is writing, cause such removal or alteration to be effected and recover the cost from him.

Condition XXV.—(I) So long as the applicant, his heirs, administrators, representatives or assigns, shall observe the conditions become emitting.

Bardeline for breach of any other before specified and on his or their part to be observed, he or emitting.

they may, subject to Condition XXVII, hold the land for ever without interruption by the Secretary of State, his successors and assigns.

ever without interruption by the Secretary of State, his successors and assigns.

(2) If the applicant, his heirs, executors, administrators, representatives or assigns, shall in the event of the said buildings being destroyed or injured by carthquake, fire, evelone or other act of God, fail to commence rebuilding the same as provided in Condition III hereof within six months of such destruction or injury and to reinstate the same fit for use as provided in the said Condition III hereof, and within such period as therein provided, or shall break any of the remaining conditions hereinbefore specified, other than Condition I or Condition II, and on his or their part to be observed, the Resident at Hyderahad may, after giving come month's notice in writing, cancel the grant or any portion thereof, and, may, on such cancellation, declare all or any part of the right and interest of the applicant, his heirs, executors, administrators, representatives or assigns, in the buildings erected on the land to be forfaited.

Condition XXVI.—The applicant, his heirs, executors, udministrators, representatives and claims to compensation barred.

Basigns, shall not be entitled to compensation for any loss incurred by reason of anything done in pursuance of Condition XXIV or Condition XXV, clause (3).

Condition XXVII.—The Resident at Hydershad may cancel the grant or any portion thereof at any time after giving one month's notice in a single of the Government to cancel writing, and on payment of compensation for such the grant of payment of compensation buildings or portion thereof as shall have been creeted under proper authority. If there shall be any dispute as to the amount of such compensation, the same shall be referred to a comittee of arbitration, which shall be constituted as provided in Chapter XX of the Secundershad Cantonment Code, and the applicant his heire greeners. Administrators, representatives and assigns, shall 1913, and the applicant, his heirs, executors, administrators, representatives and assigns, shall be bound by the decision of the committee of arbitration.

FORM F.

1, , owner of the land specified in the application made by son of , and dated the , do hereby agree on behalf of myself, my heirs, executors, administrators, representatives and assigns, to abide by the agreement and conditions entered into by the said applicant on the expiration of the lease or in the event of the land in question otherwise reverting to my possession.

No. 3634-L'B.—In exercise of the power conferred by Section 25, sub-section (1), of the Cantonments Act, 1910 (XV of 1910), as applied to the Cantonment of Aurangabad by the Notification of the Government of India in the Foreign Department, No. 582-L. B., dated the 22nd March 1918, the Governor-General in Council is pleased to direct that on and with effect from the 1st December 1913, the Secunderabad Cantonment Code of 1913, which is an adaptation of the British Indian Cantonment Code of 1912, shall the inforce in the Cantonment of Aurangabad, subject to the modifications set forth below.

The Secunderaliad Cantonment Cods of 1908, which is now in force in the Cantonment of Aurangabad in virtue of the Notification of the Government of India in the Foreign Department, No. 3094-I. B., dated the 7th October 1904, E hereby rewinded.

But committees constituted, appointments, orders, bye-laws and requisitions made, notifications, notices and summonses issued, and licenses granted under the said Code, shall be deemed to have been respectively constituted, made, issued and granted under the rules and applied enactments hereby directed to be in force.

Modifications.

- (1) Except where the context otherwise requires references to Secunderabad shall be read as referring to the Aurangabad Cantonment throughout the Code.
- (2) For Section 2 (1)(a) substitute—"Accountant-General" means the Comptroller, Central Previnces.

(8) Insert the following as Section 2 (1)(c)-

"Brigade" means any body of troops, placed for administrative purposes under a Commander of one or more stations having the status of a Brigadier-General ral or Colonel on the staff.

- (4) For Section 2 (1) (cc) substitute ——" Division" means the 6th (Poons) Division.
- (5) For Section 2 (1)(g) substitute "Officer Commanding the Division" means the Officer Commanding the 6th (Poons) Division.
- (6) For Section 2 (1)(a) substitute "Sanitary Officer" means any Medical Officer appointed to perform the duties of the Sanitary Officer of the Cantonment or, when no such Sanitary Officer has been specially appointed, the Senior Executive Medical Officer in resistary compley on duty in the Cantonment.
- (7) For Section 3 clauses (1) and (2) substitute the following -

Ordinary members of the Cantenment Comittee.

"3. (1) The Cantenment Committee, Aurangahad, shall ordinarily
opensist of the following members, namely:

- (a) the Commanding Officer of the Cantonment;
- (b) the Officer Commanding Regiments in the Cantonment;
- (c) the Sanitary Officer;
- (d) the Cantonment Magistrate; and
- (c) the Executive Engineer.
- (2) The Commanding Officer of the Cantonment shall be President and the Cantonment Magnetrate shall be the Secretary of the Committee."
- (8) Insert the following as Section 6.
 - " 6. (1) The Resident at Hyderabad after consultation with the Officer Com-The Resident at rivderabad after constitution in anding the Division, may,
 Provision when there is no Cantonnest Comby notification direct, in case the Cantonment Committee has ceased to exist, or cannot be convened, that any of the functions of the Cantonment authority under this Code-
 - (a) shall be in abeyance; or
 - (b) shall, with such modifications as may be prescribed in the notification, be discharged by the Commanding Ollicer of the Cantonment.
 - (2) Subject to any notification for the time being in force under sub-section (1), the Commanding Officer of the Cantonment may discharge any of the functions of the Cantonment anthority under this Code."
 - (8) In Section 10 (2), omit the words "and to the Commanding Officer of the Cantonment 27.
 - (10) In Sections 13 (1), 14, 15 (1) (a), 16, 18 (2) Proviso, 32 (1), 32 (3), 32 (6) (5), 33 (1) (a) and (6), and (2), 233 and 276 (2), for the words "Commanding Officer of the Cantonment" substitute "Officer Commanding the Brigade."
 - (ii) In Section 18 (2) omit the words "through the Commanding Officer of the Cantonment" occurring after the word "Hyderahad" and substitute "Officer Commanding the Brigade" for "Commanding Officer of the Cantonment" occurring at the end.
 - (12) At the end of the explanation to Section 24, add the following words—" or when there is no Cantonment Committee to the Commanding Officer of the Cantonment "
 - (18) In Section 30 (c) references to the Cantonment Committee and Secretary to the Cantonment Committee shall be read as referring to the Commanding Officer of the Cantonment when there is no Cantonment Committee.
 - (14) In Section 34 (1) add "or when there is no Cantonment Committee to the Commanding Officer of the Cantonment", at the end.
 - (15) In Section 84 (2), after the words "the Secretary" add "or the Commanding Officer of the Cantonment".
 - (16) In Section 36 (?), add at the end "or when there is no Cautonment Committee by the Commanding Officer of the Cantonment".
 - (17) In Section 3tl (5), substitute the words "the Officer authorised to sign cheques by sub-section (2)" for "the Secretary to the Cantonment Committee".

 - (18) In Section 36 (7), substitute the words "the officer authorised to sign cheques" for "the Secretary to the Cantonment Committee".
 (19) In Section 86 (8), substitute the words "officer whose duty it would be under subsection (2) to sign cheques" for "Secretary to the Cantonment Committee".

- (20) In-Section 37 (1), substitute "one hundred and fifty supeen" for "three hundred rupees
- (21) In Section 44 (3), add at the end "or when there is no Cantonment Committee by the Commanding Officer of the Cantonment".
- (22) In Section 45 (2), add " or when there is no Cautonment Committee by the Commanding Officer of the Cantonment" before the word 'namely'.
- (28) In Sections 51 (1) and 57, substitute "Comptroller, Central Provinces" for "Accountant-General, Madras".
- (24) In Section 51 (2) and (4), substitute "Comptroller" for "Accountant-General"
- (25) In Section 54, substitute "treasury" for "Hyderabad Residency Treasury".
- (26) Omit proviso to Section 55 (2).
- (27) In Section 55 (3), substitute "officer in charge lof the treasury " for "treasury officer
- (28) In Section 59 omit the words "through the Commanding Officer of the Cantonment '
- (20) In Section 60 omit the words "Cantonment Magistrate and" and fusert at the end "or when there is no Cantonment Committee by the Commanding Officer of the Cantonment".
- (80) In Section 63 and in the provise to it emit the words "Cantonment Magistrate and"
- (31) In Section 69 omit clause (a), and the reference to clause (a) occurring in clause (1).
- (32) In the provise to Section 78 (2), substitute "Officer Commanding the Division" for "Commanding Officer of the Cantonment."
- (83) In the provise to Section 74 (1) and in Section 74 (2) and in the provise to Section 82, substitute the words "Officer Commanding the Division" for "Commanding Officer of the Cantonment."
- (34) In Section 1 's, substitute "Officer Commanding the Division" for "Commanding Officer of the Cantonment."
- (35) In Section 263 (3) add "through the Officer Commanding the Brigade" after the word "Division" and before the words "for sanction."
- (36) In provise (b) to Section 283 (3), insert " the Officer Commanding the Brigade " after " the Commanding Officer of the Cantonment."
- (87) In Section 208 insert "Officer Commanding the Brigade" after "Officer Commanding the Division."
- (88) In Form 8 of Schedule I (Pass Book), omit "the Hyderabad Residency Civil Treasury" and leave space for the name of the banker concerned to be entered.
- (39) For the forms in Schedule II substitute the forms appended to this notification.
- (40) In Schedule V, against the entries 78 (c) and 95 in column 3, substitute "Officer Commanding Officer of the Cantonment."

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THE GAZETTE OF INDIA, NOVEMBER 29, 1913. . [PART I.

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Nors:-The register should be interleaved, so as to show the demand and recovery of each fax on one and the same page.

7 Demand and Recovery Register of house, lairine and water taxes for the year 191

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